

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th July 2019

NATIONAL LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr.JUSTICE G.K.ILANTHIRAIYAN

and

Members

Mr.N.Sivathanu, District Judge (retd)

Mr.S.Arokiamaniraj

C.M.A.NO.17 OF 2016

(Appeal against the judgment and decree passed on 22.12.2014 made in MCOP.No.840 of 2012 on the file of the Motor Accidents Claims Tribunal (III Court of Small Causes), Chennai.

1.V.Rajendran

2.R.Sundari

.. Appellants

/versus/

1.Manjunath

2.National Insurance Company Ltd.,

No.751, Anna Salai,

Chennai-2

.. Respondents

(R1 set exparte before the Tribunal)

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.K.Varadha Kamaraj, learned counsel for the appellant/claimant and Mr.S.Arunkumar, learned counsel for the 2nd respondent/ Insurance company are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.6,55,000/- with interest at the rate of 7.5% per annum as compensation to the appellants / claimants. Being not satisfied with the award amount, the appellants/claimants have preferred this

2. After due deliberation and consultation, both the parties have agreed to enhance the award amount to a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) in full quit over and above the award amount passed by the Tribunal and the same is hereby awarded. The appellants are entitled to receive the same in equal proportion i.e. Rs.2,50,000/- each. The award is enhanced accordingly.

3. It is submitted by the counsel for Insurance Company that the award amount passed by the Tribunal was already deposited and the same was withdrawn by the claimants. As such, the R2/ Insurance company is directed to deposit the enhanced amount, within a period of six weeks from the date of receipt of a copy of this order. On such deposit being made, the Tribunal shall transfer their respective shares to the Bank account of the appellants /claimants by way of NEFT/RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

4. Accordingly, the Civil Miscellaneous Appeal is disposed of. Consequently, connected miscellaneous petition is closed, if any.

1.V.Rajendran

2.R.Sundari

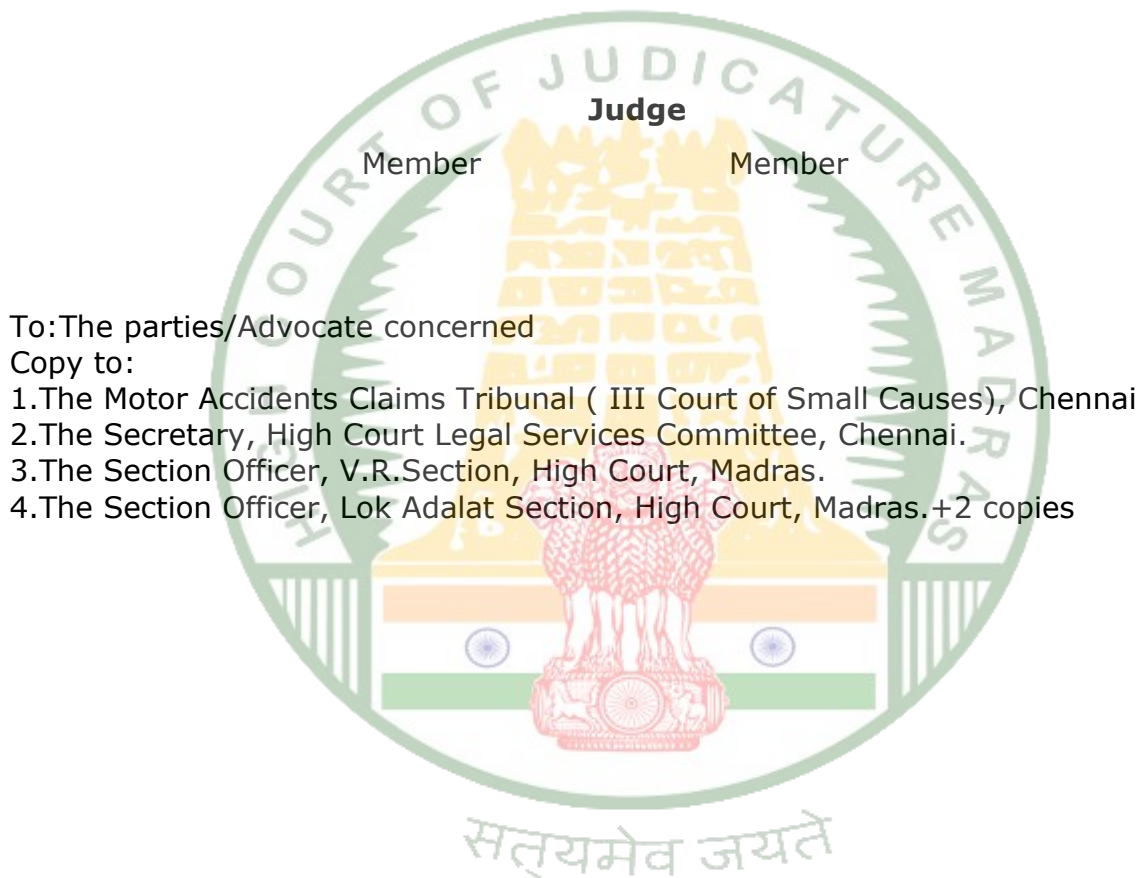
Counsel for the Appellants

National Insurance Company Ltd.,
No.751, Anna Salai,
Chennai-2

Counsel for the 2nd Respondent

This Lok Adalat award is passed in terms of the above settlement.

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.



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G.K.ILANTHIRAIYAN, J.

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Dated : 13.07.2019