

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th day of December, 2019

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE C. SARAIVANAN

and

Members

Mrs.Revathi G.Mohan

Mr.M.Sambasivam

C.M.A.No.1006 of 2018

[Appeal against the judgment and decree passed on 29.09.2010 in M.C.O.P.No.511 of 2015 on the file of the Motor Accident Claims Tribunal, Special Sub Judge, Tiruvallur)

The Manager,
Reliance General Insurance Company Ltd.,
No.6, Haddows Road,
Nungambakkam, Chennai – 600 006.

.. Appellant

Vs.

1.Shankar
2.Velmurugan

..Respondent

Though this case is not listed before the National Lok Adalat today, it is taken up for hearing at the instance of the learned counsel for the appellant. Both the parties are present. The learned counsel for the appellant Mr.S.Arun Kumar and learned counsel for the 1st respondent Mr.S.Babu 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.9,25,480/- with interest at 7.5% per annum from the date of petition till the date of deposit. It is represented by the learned counsel for the appellant that entire award amount together with interest at 7.5% from 26.08.2010 to 29.09.2016 (Rs.9,25,480/- + Rs.4,23,640/- = Rs.13,49,120/-) and cost has already been deposited before the Tribunal.

2.Not satisfied with the award of the Tribunal, the appellant Insurance

Company has preferred the present appeal for reduction. Now, both the parties have agreed to settle the dispute on payment of Rs.6,10,000/- (Rupees Six Lakhs and Ten Thousand only) together with interest at 7.5% from 26.08.2010 to 29.09.2016 and cost awarded by the Tribunal.

3.The 1st respondent/claimant is permitted to withdraw a sum of Rs.6,10,000/- (Rupees Six Lakhs and Ten Thousand only) together with interest at 7.5% from 26.08.2010 to 29.09.2016 and cost without filing any formal petition. The Award is passed accordingly.

4.The Tribunal is directed to refund the balance amount of Rs.3,15,480/- (Rupees Three Lakhs Fifteen Thousand Four Hundred and Eighty only) together with interest accrued thereon to the appellant Insurance Company.

5.The Tribunal is directed to issue the cheques to the parties concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petitions are closed, if any.

The Manager,
Reliance General Insurance Company Ltd.,
No.6, Haddows Road,
Nungambakkam, Chennai – 600 006.

Counsel for the Appellant

Shankar

Counsel for the 1st respondent

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

The Court fee paid shall be refunded to the parties in the manner provided under 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.

Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal, Special Sub Judge, Tiruvallur.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.

jen

C.SARAVANAN., J.

jen

C.M.A.No.1006 of 2018

14.12.2019