

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 9th day of March, 2019

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE R.MAHADEVAN
and

Members

Mr. N.Ramachandran
Mr. N.Dhanasekaran

Civil Miscellaneous Appeal No.1844 of 2016

(Appeal against the award and decree passed on 02.02.2015 in M.C.O.P.No.4556 of 2009 on the file of the Motor Accidents Claims Tribunal /Special Sub Judge No.II, Chennai)

M.Kuppusamy

.. Appellant

Vs.

1. N.A.Anaz

(R-1 set exparte before the trial court)

2. The New India Assurance Co. Ltd.,

Now the second respondent, having third party Cell Office at
No.832 NSC Bose Road, VI Floor,
Chennai - 1

.. Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mr.K.R.Ponnusamy, for M/s.Anand and Suryas and the learned counsel for the second respondent, Mr.Michale Viswasam 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.3,00,000/- with interest at 7.5% per annum, from the date of petition till the date of deposit as compensation.

2. Aggrieved against the award of the Tribunal, the appellant / claimant has preferred the present Appeal for enhancement.

3. It is submitted by the learned counsel appearing for both sides that the amount, as ordered by the Claims Tribunal, has been deposited by the the second respondent / Insurance Company and the same has been withdrawn by the appellant / claimant.

4. Now both the parties have agreed to enhance the award with a further sum of Rs.3,61,000/- in full quit (inclusive of interest) which is over and above the amount already awarded by the Claims Tribunal. The second respondent / Insurance Company is directed to deposit the said enhanced award amount within a period of six weeks from the date of receipt of a copy of this award. On such deposit being made, the claimant / appellant herein is permitted to withdraw the entire compensation amount lying in Court deposit.

5. The Award is passed accordingly. The Tribunal is directed to transfer the said amount to the Savings Bank Account of the claimant / appellant herein, on proper identification, through RTGS, in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

M.Kuppusamy

.. Counsel for the Appellant

1. N.A.Anaz

(R-1 set exparte before the Court below)

2. The New India Assurance Co. Ltd.,
No.832 NSC Bose Road, VI Floor,
Chennai - 1

.. Counsel for the R-2

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.

Member

Judge

Member

To

The parties/Advocate concerned

Copy to:

1. Motor Accidents Claims Tribunal /Special Sub Judge No.II, Chennai
- 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.+2 copies



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R.MAHADEVAN, J.,

srk



C.M.A. No.1844 of 2016

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09.03.2019