

NATIONAL LOK ADALAT

Organised by the High Court Legal Services Committee
Saturday, the 09th day of March, 2019

LOK ADALAT AWARD

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

Presided by

THE HON'BLE Mr. JUSTICE M.NIRMAL KUMAR

and

Members:

Mr.T. Sankara Narayanan Pillai
Mr.Tranqubar Dorai Vasu

C.M.A.Nos.761 and 1009 of 2015

These Appeals are filed against the Judgment and Decree dated 06.11.2014 MACT.O.P.No.2283 of 2008, on the file of the Special Sub Judge-II, (Motor Accidents Claims Tribunal), Chennai.

C.M.A.No.761 of 2015

1.S.K.Sivagami
2.S.Kolappa Pillai
Both are residing at
No.13/44, Shaikmathar Nagar,
Gandhinagar Post,
Tirunelveli District – 627 008.

...Appellants

Vs.

1.M.Raja,
No.5/709, Muneeswaran Koil Street,
Padiyanallur, Red Hills,
Thiruvallur District – 600 052.

2.United India Insurance Co. Ltd.,
No.470, GNT Road,
Hills, Chennai – 600 052.

...Respondents

C.M.A.No.1009 of 2015

United India Insurance Co. Ltd.,
No.470, GNT Road,
Hills, Chennai – 600 052.

... Appellant

Vs.

1.S.K.Sivagami
2.S.Kolappa Pillai
Both are residing at
No.13/44, Shaikmathar Nagar,
Gandhinagar Post,
Tirunelveli District – 627 008.

... Respondents

These cases are taken up for settlement before the Lok Adalat. Both the parties are present. The learned for the appellants/respondents Mr.R.Kalai Arasan and the learned counsel for the 2nd respondent/appellant Mr.S.Arun Kumar 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

These appeals have preferred as against the Judgment and Decree dated 06.11.2014 MACT.O.P.No.2283 of 2008, on the file of the Special Sub Judge-II, (Motor Accidents Claims Tribunal), Chennai.

2.It is represented by the insurance company that the insurance company is directed to deposit a sum of Rs.20,00,000/- and the said amount has already been deposited. Now the insurance company has further agreed to pay a sum of Rs.18,50,000/- as full quit. Both the parties have agreed for the same. The Insurance company is directed

to deposit a sum of Rs.18,50,000/-, within a period of six weeks from the date of receipt of a copy of this order. The above said compensation award will be shared by the appellants equally.

3.The recovery right already granted by the Tribunal will continue and the insurance company will recover the same from the owner of the vehicle.

4.The Tribunal is directed to transfer the above said modified award amount to the individual bank account of the claimants by way of NEFT/RTGS, on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

5.These Civil Miscellaneous Appeals are disposed of accordingly.

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.

1.S.K.Sivagami

2.S.Kolappa Pillai ... Counsel for Appellants/respondents

United India Insurance Co. Ltd.,

No.470, GNT Road,
Hills, Chennai – 600 052. ... Counsel for 2nd Respondent/appellant

Judge

M.NIRMAL KUMAR.J,

ah/vv2

To

The parties/Counsel concerned

Copy to

- 1.The Motors Accidents Claims Tribunal,
In the III Court of Small Causes, 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.



C.M.A.No.761 & 1009 of 2015

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