

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.845 OF 2012

(Appeal against the judgment and decree passed on 08.12.2010 made in MCOP.No.764 of 2007 on the file of the Motor Accidents Claims Tribunal (IV Court of Small Causes), Chennai.

E.Saraswathi

Appellant

/versus/

1.V.Lakshmi

2.Cholamandalam MS General Insurance Co.Ltd.,

"Dare House", II Floor,

No.2, NSC Bose Road, Chennai-600 001

(R1 set exparte before the Tribunal)

Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.N.M.Muthurajan, learned counsel for appellant/claimant and M/s.Sri Vidhya, 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.1,29,500/- with interest at the rate of 7.5% per annum as compensation to the appellant / claimant. Being not satisfied with the award amount, the claimant has preferred this appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award amount to a sum of Rs.1,20,000/- (Rupees One Lakh and Twenty Thousand Only) as full quit over and above the award amount passed by the Tribunal and the same is hereby awarded. The award is modified accordingly.

3. The R2/Insurance Company is directed to deposit the entire compensation amount less the amount already deposited, if any, 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 the entire compensation amount to the Bank account of the appellant /claimant 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.

E.Saraswathi

Counsel for the Appellant

Cholamandalam MS General
Insurance Co.Ltd., "Dare House", II Floor,
No.2, NSC Bose Road, Chennai-600 001

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.

Judge

Member

Member

To: The parties/Advocate concerned
Copy to:

1. The Motor Accidents Claims Tribunal (IV 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. +2 copies



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G.K.ILANTHIRAIYAN, J.

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Dated : 13.07.2019