

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

Wednesday, the 27th day of November, 2019

LOK ADALAT ORDER

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

The Hon'ble Mr.JUSTICE S.MARIMUTHU (Retd.)
and

Member

Mrs. Sudharshana Sundar
W.P.No.27394 of 2006

(Writ Petition has filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay compensation of Rs.5,00,000/- for the death of Petitioner's son due to negligence of the respondents.)

1.Mr. T.K. Kalaimani (Died)
2. Tmt. Vijaya Rani ... Petitioner
(As 1st petitioner died, 2nd petitioner has been substituted as L.R. of the Deceased 1st Petitioner.)

Vs.

- 1.The Chairman
Tamilnadu Electricity Board, Chennai
- 2.The Superintendent Engineer,
CED/South T.N.E.B. Chennai - 600 078.
- 3.The Assistant Engineer,
Ashok Nagar,
No.110, K.V.A. Sub Station,
Anna Main Road, Chennai-600 078.
- 4.The Commissioner,
Corporation of Chennai,
Chennai - 600 003.
- 5.The Assistant Engineer,
122, Circle Corporation of Chennai,
Ashok Nagar, Chennai - 600 078.

6.Mr. D.P. Nandakumar ...Respondents

This case has been listed today and came up for settlement before the Lok Adalat. Mr.S.L. Venkatesan, the learned counsel for the petitioner, Mr.V.C. Selvasekaran, the learned Counsel for the RR4 & 5, and Mr. B.Viswanathan, the learned counsel for 6th respondent as well as parties are also present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

O R D E R

The Petition in W.P.No.27394 of 2006 pending on the file of the High Court of Madras has been referred to Lok Adalat for conciliation today.

2. On previous hearing, a tentative order dated 16.10.2019 has been passed. As per the tentative order, both parties have agreed and settled the matter for Rs.4,50,000/- (Rupees Four Lacs and Fifty Thousand only) as compensation. The same has been finalized today.

3. Both parties have filed a Joint Memo Compromise having signed all the parties along with their respective counsel. In addition to the Joint Memo Compromise, Affidavits of the petitioner, 3rd respondent and 6th respondent have been filed separately. The same is recorded by this Forum.

3. Out of the total compensation of Rs.4,50,000/- (Rupees Four Lacs and Fifty Thousand only), the award amount has been paid by way of D.D. and Cheque in favour of the petitioner herein in the following manner.

(i) The 6th respondent, by name Mr.D.P. Nandakumar has paid Rs.2,50,000/- by way of (i) Pay Order bearing no.045463 dated 25.11.2019 drawn on Tamil nadu Apex Co-operative Bank Ltd for Rs.2,00,000/- (Rupees Two Lakh Only) (ii) Pay Order bearing no.045464 dated 25.11.2019 drawn on Tamil nadu Apex Co-operative Bank Ltd, for Rs.50,000/- (Rupees Fifty Thousand only).

(ii) Corporation of Chennai who is the 4th & 5th respondent herein, has paid a Cheque bearing no.462555 dated 24.10.2019 drawn on I.O.B, Corporation of Chennai Branch, for Rs.1,50,000/- (Rupees One Lacs and Fifty Thousand only).

(iii) and the balance sum of Rs.50,000/- (Rupees Fifty Thousand only), the Assistant Executive Engineer, Mr. Srinivasan, who is the 3rd respondent herein, has paid by way of D.D. bearing no.775411 dated 14.11.2019 drawn on Karur Vysya Bank.

4. In view of the settlement arrived between the parties and Joint Memo has been filed by both parties, the writ petition is disposed of accordingly. The Joint memo shall form part of the award. The Award is passed accordingly. No order as to costs.

Sd/-
Tmt. Vijaya Rani

Sd/-
Counsel for the petitioner

Sd/-
R3.The Assistant Engineer,
Ashok Nagar, No.110, K.V.A. Sub Station,
Anna Main Road, Chennai-600 078.

R4.The Commissioner,
Corporation of Chennai, Chennai - 600 003.

(for R4& R5) Sd/-

R5.The Assistant Engineer,
122, Circle Corporation of Chennai,
Ashok Nagar, Chennai - 600 078.
(For RR4 & 5, their Assistant Executive
Engineer has signed)

Sd/-
Counsel for the respondents 4 & 5

Sd/-
R6.Mr. D.P. Nandakumar

Sd/-
Counsel for the 6th respondent

Sd/-
JUDGE

Sd/-
MEMBER

*Xerox copy of the Joint memo Compromise and Affidavit of
Petitioner 3rd and 6th Respondent enclosed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Ibm

To:The parties/Advocate concerned

Copy to:

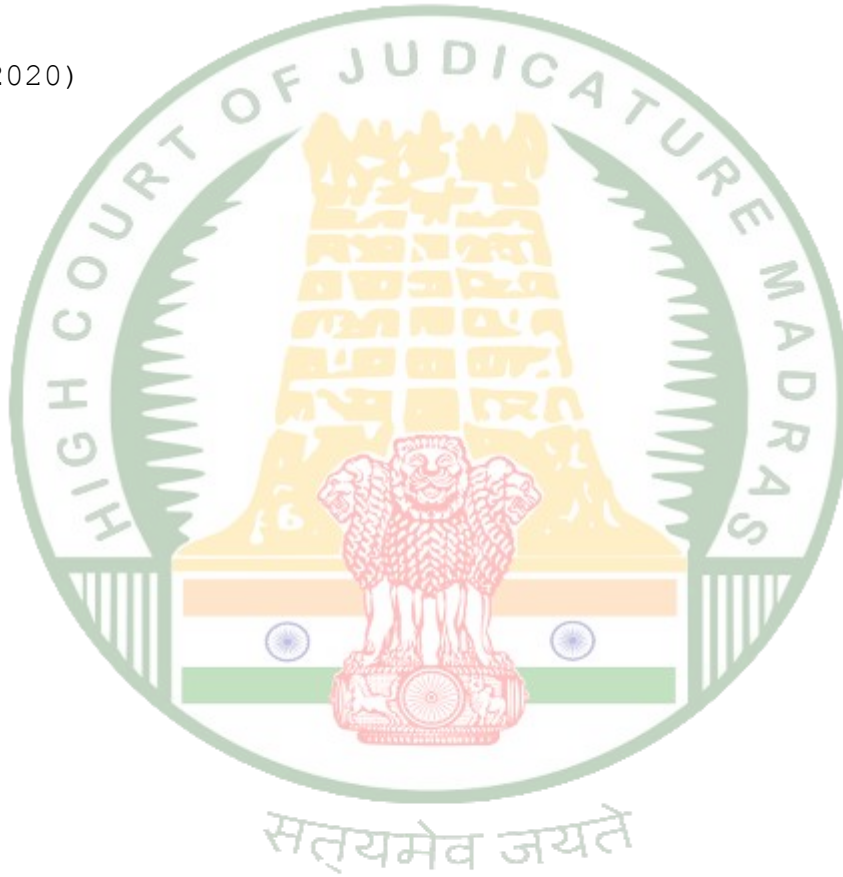
1.The Secretary,
High Court Legal Services Committee, Chennai.

4.The Section Officer,
V.R.Section, High Court, Madras.

5.The Section Officer,
Lok Adalat Section,
High Court, Madras.(+3 copies)

W.P.No.27394 of 2006

PPA (CO)
CB (17/02/2020)



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