

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

C.M.A. No. 1102 of 2018

(Appeal against the award and decree passed on 07.10.2017 in M.C.O.P.No.343 of 2013 on the file of the Motor Accidents Claims Tribunal (Special Sub-Judge) Tirupattur).

The Divisional Manager

The New India Assurance Company Limited,
Thiruvannamalai.

.. Appellant

Vs

1.Umadevi

2.Mary Marget

3.Johnpaul

4.L.Philip

5.Innigomeri

(Amended as per Order in
I.A.445/2017 dated 07.07.2017)

(R4 was set exparte before the Tribunal)

... Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mr.K.Vinod and the learned counsel for the respondents/claimants, M/s.K.M.Vijayan and the learned counsel for the fifth respondent, Mr.M.Syed Ibrahim 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.52,18,130/- with interest at 7.5 % per annum from the date of petition till the date of deposit as compensation. Aggrieved against the same, the appellant/Insurance company has preferred the present appeal.

2. Now, both the parties have agreed to modify the award amount for a sum of Rs.49,18,130/-, after deducting Rs.3,00,000/- alone, with interest

at 7.5% p.a. It is represented that the appellant insurance company has already deposited the entire award amount along with proportionate interest. In view of the same, the respondents/claimants are entitled to withdraw their respective shares, as apportioned by the Tribunal. The appellant Insurance Company is also permitted to withdraw the balance sum lying in the deposit. The Award is passed accordingly.

3.The Tribunal is directed to transfer the said compensation amount to the respondents/claimants, 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. Consequently, connected Miscellaneous Petition, if any, stands closed.

The Divisional Manager
The New India Assurance Company Limited,
Thiruvannamalai.

.. Counsel for Appellant

1.Umadevi

2.Mary Marget

3.Johnpaul

... Counsel for the Respondents 1 to 3

4.Innigomeri

... Counsel for 5th 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

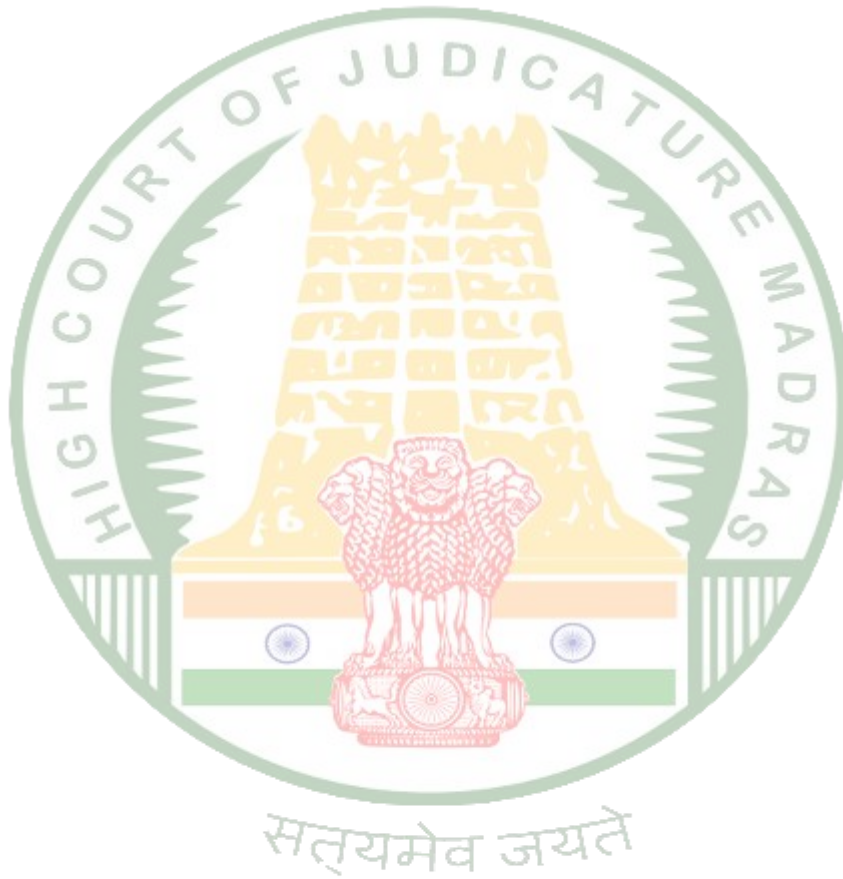
Member

To

The parties/Advocate concerned

Copy to:

1. Motor Accidents Claims Tribunal (Special Sub-Judge) Tirupattur).
- 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.

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CMA.No.1102 of 2018

09.03.2019

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