

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. 2629 of 2016

(Appeal against the award and decree passed on 29.07.2016 in M.C.O.P.No.4436 of 2013 on the file of the Motor Accidents Claims Tribunal (Special Subordinate Judge-I) Chennai.

A.Adimoolam

... Appellant/Petitioner

Vs.

M.Shankar (died)
(set exparte before the Tribunal)

The New India Assurance Co. Ltd.,
Motor Third party Claims Cell,
No.45, Moore Street,
Chennai 600 001.

Now functioning at:
New India Assurance Co. Ltd.,
Motor Third party Claims HUB,
Bombay Mutual Buildings, 6th Floor,
No.232, N.S.C.Bose Road,
Chennai 600 001.

..Respondent/Respondent

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mr. M.Swamikannu and the learned counsel for the respondent, Mr.J.Chandran 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.2,21,214/- with interest at 7.5 % per annum from the date of petition till the date of deposit as compensation. Aggrieved against the quantum of compensation awarded by the Tribunal, the appellant/claimant has preferred the present appeal for enhancement.

R.MAHADEVAN, J.

rk

2. Now, both the parties have agreed for a sum of Rs.1,50,000/- as full quit over and above the award amount granted by the Tribunal (inclusive of interest). The respondent/Insurance Company is directed to deposit the entire compensation amount, within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the appellant/claimant is permitted to withdraw the entire amount. The Award is passed accordingly.

3.The Tribunal is directed to transfer the said compensation amount to the Appellant/claimant, 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.

A.Adimoolam

Counsel for the Appellant

The New India Assurance Co. Ltd.,
Motor Third party Claims Cell,
No.45, Moore Street,
Chennai 600 001.

Counsel for the 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.

Member Judge Member

To

The parties/Advocate concerned

Copy to:

1. Motor Accidents Claims Tribunal (Special Subordinate Judge-I) 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

jrs/rk

C.M.A. No.2629 of 2016