

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th September , 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 V.PARTHIBAN

Members:- (1) Mr.Ravindra Bose, District Judge (Retd.)
(2) Ms.S.S.Jothivani

CMA.No.345 of 2016 and Cross Objection No.40 of 2016

(Civil Miscellaneous Appeal and Cross Objection against the award and decree passed, dated 29.06.2015 in **MCOP.No.2832 of 2012**, on the file of the Motor Accidents Claims Tribunal, II Judge, Court of Small Causes (I/c III Judge), Chennai.

The National Insurance Co.,Ltd
Rep.by its Manager, No.169, Anna Salai
Chennai 600 006.

Appellant

Vs.

1.T.Padmavathi
2.T.Ariyangavui (Minor)
3.T.Mairammal (Minor)
(Minors 2 & 3 are represented by
mother and natural Guardian T.Padmavathi)
4.B.Annalakshmi
5.K.Balakrishnan
6.A.Anthony Raj

Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. **Mrs.R.Sreevidya**, the learned counsel for the Appellant / Corporation and **Mr.M.Samuel Raja** for respondents 1 to 5 and **Mr.R.Kannan** for respondent No.6 are present. After mutual discussion, negotiation, mediation and conciliation between both the parties, they arrived at a compromise to settle the matter as follows:-

TERMS OF SETTLEMENT

1. When the matter is taken up for hearing today, the parties have agreed to withdraw the Civil Miscellaneous Appeal and Cross Objection pending before this Court, and they have entered into a Memo of Compromise, which reads as under:

JOINT MEMORANDUM OF COMPROMISE

Both the parties humbly submit as follows:

1. It is submitted that the Appellant in the above CMA has filed the above appeal against the judgment and decree dated 29.06.2015

and made in M.C.O.P.No.2832 of 2012 on the file of the II Small Causes Court (Motor Accidents Claims Tribunal) at Chennai.

2. The Respondents 1 to 5 / Aggrieved persons has filed the Cross Objection for enhancement of the award amount passed in Judgment and Decree dated 29.06.2015 and made in M.C.O.P.No.2832 of 2012 on the file of the II Small Causes Court (Motor Accidents Claims Tribunal) at Chennai.
3. It is submitted that both the parties agreed to withdraw the above cases pending before this Honourable Court as not pressed.
4. The respondents 1 to 5 in the above CMA agree to not withdraw the share of the minors / respondents 2 and 3 till attaining their majority.
5. The respondents 1, 4 and 5 in the above CMA have already received their 50% of respective proportionate share as per the direction of this Honourable Court. The appellant in the above CMA has no objection for the withdrawal of the major part of the respective share of the respondents 1, 4 and 5 and hence, both the above cases settled amicably.

It is therefore, respectfully prayed that this Honourable Court may be pleased to receive this Memo of Compromise and dispose both the above cases by recording the same and thus render justice."

2. Accordingly, recording the aforesaid Joint Memorandum of Compromise, the award is passed in terms of the above Memorandum of Compromise. The Civil Miscellaneous Appeal and the Cross Objection are disposed of accordingly.

The National Insurance Co.,Ltd
Rep.by its Manager, No.169, Anna Salai
Chennai 600 006.

Counsel for the Appellant

- 1.T.Padmavathi
- 2.T.Ariyangavui (Minor)
- 3.T.Mairammal (Minor)
- (Minors 2 & 3 are represented by
mother and natural Guardian T.Padmavathi)
- 4.B.Annalakshmi
- 5.K.Balakrishnan
- 6.A.Anthony Raj

Counsel for the Respondents

This National 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.

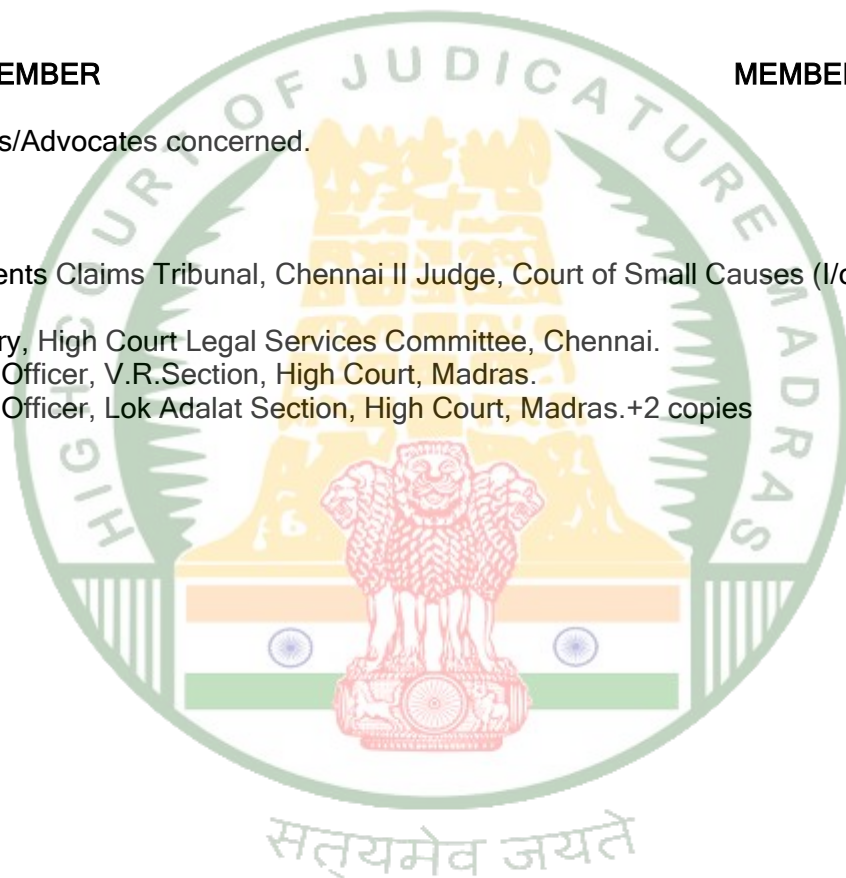
JUDGE**MEMBER****MEMBER**

To: The Parties/Advocates concerned.

Copy to:

- 1.Motor Accidents Claims Tribunal, Chennai II Judge, Court of Small Causes (I/c III Judge), 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

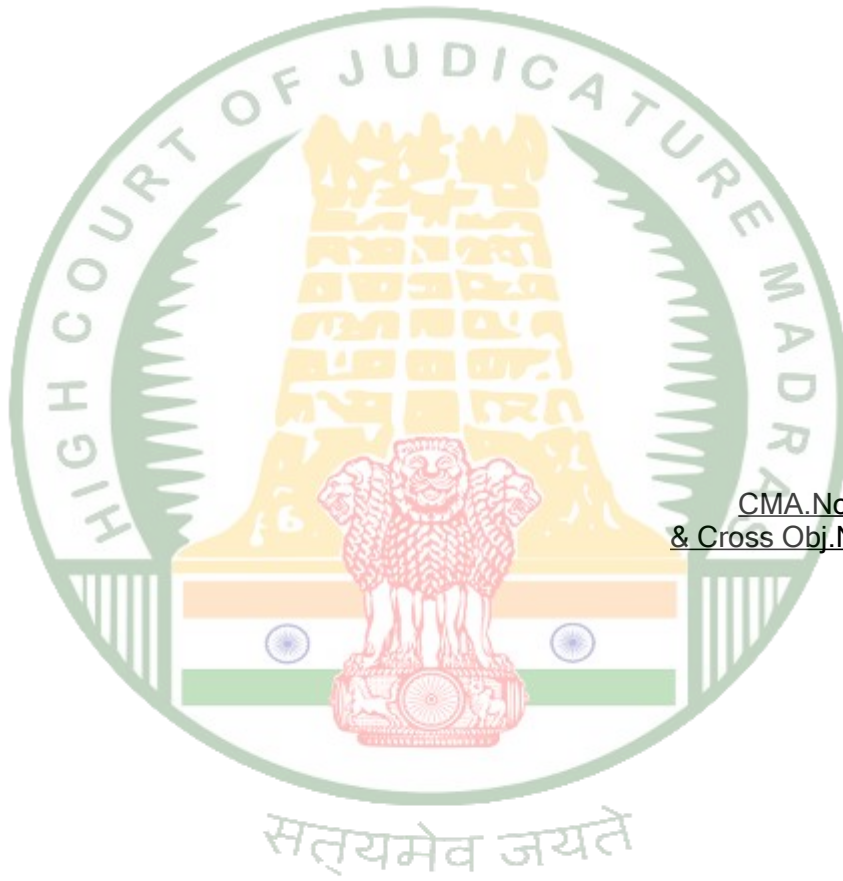
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V.PARTHIBAN, J.

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& Cross Obj.No.40 of 2016

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14.09.2019