

NATIONAL LOK ADALAT

Organised by the High Court Legal Services Committee
Saturday, the 09th day of March, 2019

LOK ADALAT AWARD

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

Presided by

THE HON'BLE Mr. JUSTICE M.NIRMAL KUMAR

and

Members:

Mr.T. Sankara Narayanan Pillai
Mr.Tranqubar Dorai Vasu

C.M.A.No.586 of 2016

The Appeal is filed to enhance the award dated 24.02.2015 and made in M.A.C.T.O.P.No.3121 of 2013 on the file of the Motor Accident Claims Tribunal, II Judge Small Causes Court, Chennai.

1.R.Kuttiyammal

2.R.Ramani

3.D.Lilly (widow)

All are residing at

No.9, Bajanai Koil Street,

Rathinamangalam, Melakkottaiyur Post,

Chennai-600 048.

...Appellants

Vs.

1.M.P.Venkatesan,

S/o.Perumal

No.176, S.N.Chetty Street,

Royapuram,

Chennai-600 013.

2.United India Insurance Co. Ltd.,

No.134, Greams Road,

Chennai-600 006.

...Respondents

This case is taken up for settlement before the Lok Adalat. Both

the parties are present. The learned counsel for the appellants

Mr.F.Terry Chella Raja and the learned for the respondents Mr.Arun Kumar 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 appellants have preferred the present appeal for enhancement.

2. It is represented by the United India Insurance Co. Ltd., that the amount claimed before the Tribunal is Rs.6,00,000/- and the amount awarded by the Tribunal is Rs.3,40,000/-. Now, the Insurance company has further agreed to pay a sum of Rs.1,00,000/- in full Quit.

3.By way of compromise, it is agreed by both side that the compensation amount shall be enhanced by Rs.1,00,000/- in full quit and it shall be deposited within a period of six weeks from the date of receipt of a copy of this order as full quit and the 1st claimant is permitted to withdraw a sum of Rs.75,000/- and the 2nd claimant is permitted to withdraw a sum of Rs.12,500/- and the 3rd claimant is permitted to withdraw a sum of Rs.12,500/-, without filling any petition. Award is modified accordingly.

3. The Tribunal is directed to transfer the above said modified award amount to the individual bank account of the appellant by way of NEFT/RTGS, on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

4. The Civil Miscellaneous Appeal is disposed of accordingly.

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.

1.R.Kuttiyammal
2.R.Ramani
3.D.Lilly (widow)

... Counsel for Appellants

United India Insurance Co. Ltd.,
No.134, Greaves Road,
Chennai-600 006.

... Counsel for 2nd Respondent

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Judge

Member

Member

M.NIRMAL KUMAR.J,

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To

The parties/Counsel concerned

Copy to

- 1.The Motors Accidents Claims Tribunal,
In the III 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.



C.M.A.No.586 of 2016

09.03.2019

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