

## NATIONAL LOK ADALAT

Organised by the High Court Legal Services Committee  
Saturday, the 09<sup>th</sup> 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.Sankaranarayanan Pillai.T  
Mr.Tanquebar Dorai Vasu

**C.M.A.No.1205 of 2018**

(The Appeal is not listed today, however, with the consent of the parties, it is taken up for settlement. The Appeal is filed against the judgment and decree passed in M.C.O.P.No.3396 of 2007 on the file of the Motor Accident Claims Tribunal, VI Court of Small Causes, Chennai, dated 13.12.2007).

G.Suresh Kumar

...Appellant

Vs.

1.M.Raj Kumar

2.United India Insurance Co. Ltd.,  
No.52, G.M.M.Street, Sowcarpet,  
Chennai 600 079.

... Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mr.K.Varadha Kamaraj, is present. The learned counsel for the 2<sup>nd</sup> respondent Mr.S.Arunkumar is present and officials of Insurance Company are also 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.4,55,800/- with interest at 7.5% p.a. from the date of numbering of the petition till the date of deposit as compensation.

2. Aggrieved by the award of the Tribunal, the Appellant has preferred the present appeal. The amount awarded by the Tribunal has already been deposited by the Insurance Company and the same has been withdrawn by the appellant.

3. By way of compromise, the 2<sup>nd</sup> respondent/insurance company agreed to pay a sum of Rs.2,00,000/- (Rupees two lakh only) in full quit (inclusive of interest) in addition to the award amount of the Tribunal as compensation and the same is agreed by both sides.

4. The Insurance company is directed to deposit a sum of Rs.2,00,000/- over and above the award of the Tribunal in full quit (inclusive of interest), within a period of six weeks from the date of receipt of a copy of this award, to the credit of M.C.O.P.No.3396 of 2007 before the concerned Tribunal. Award is modified accordingly.

5. The Tribunal is directed to transfer the respective shares of the 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.

6. The Civil Miscellaneous Appeal is disposed of accordingly. Connected miscellaneous petition, if any, is closed.

G.Suresh Kumar

.. Counsel for Appellant

1.M.Raj Kumar

2.United India Insurance Co. Ltd.,  
No.52, G.M.M.Street, Sowcarpet,  
Chennai 600 079.

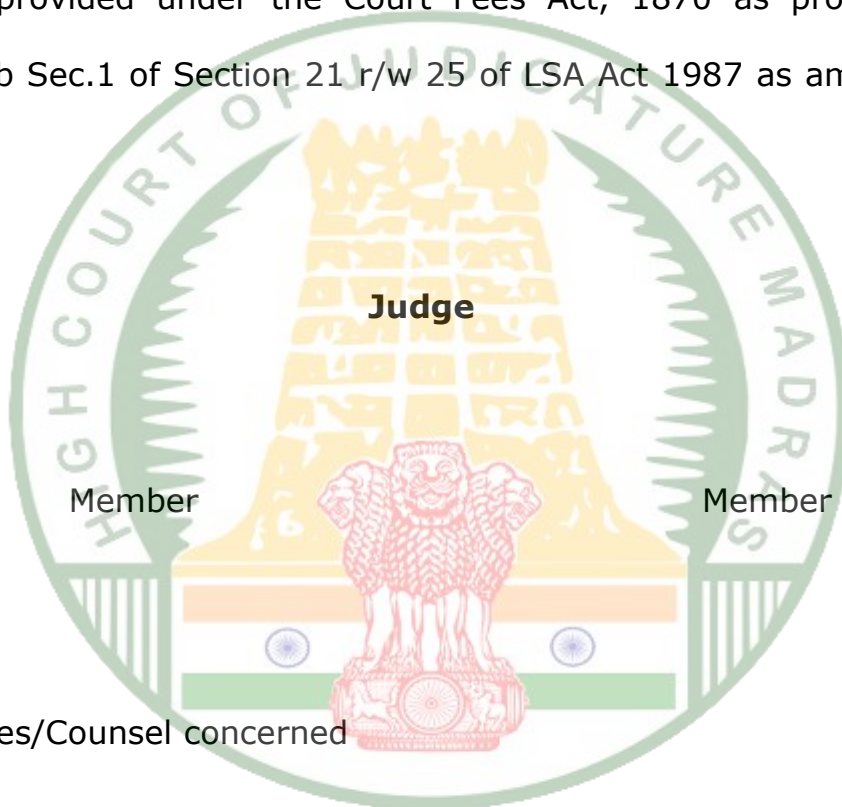
..Counsel for the 2<sup>nd</sup> Respondent

7.This Lok Adalat award is passed in terms of the above settlement.

**M.NIRMAL KUMAR.J,**

klt/sai

8.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.



To

The parties/Counsel concerned  
Copy to

- 1.The Motors Accidents Claims Tribunal, VI 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.1205 of 2018**