

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th day of July, 2019

LOK ADALAT AWARD

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

Presided over by

The Honourable Mr.JUSTICE R.SURESH KUMAR
and

Members:

Ms.V.Ahalya, D.J. (Rtd.)

Ms.V.J.Latha

C.M.A.No.139 of 2018

Appeal against the Judgment and Decree dated 07.04.2017 made in M.C.O.P.No.150 of 2016 on the file of the Motor Accidents Claims Tribunal (Special Subordinate Judge), Erode.

United India Insurance Company Ltd.,
Having its Branch Office at
No.4, Promenade Road,
Cantonment 620 001.
Tiruchirappalli.

... Appellant

Vs.

1.S.Thiyagarajan
2.S.Nasurudeen
3.Vijayalakshmi

... Respondents

On representation made by both the counsels, this case is taken up for settlement. Both the parties are present. Mr.D.Baskaran, learned counsel for the appellant and Ms.N.Premalatha for Mr.Nalliyappan, learned counsel for the 1st respondent 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

This appeal has been filed by the claimant as against the award dated 07.04.2017 passed in M.C.O.P.No.150 of 2016 by the Motor Accidents Claims Tribunal (Special Subordinate Judge), Erode, under which the Tribunal awarded a compensation of Rs.6,94,800/- with interest at the rate of 7.5% per annum.

2. Now today, after negotiation, deliberation and discussion with the parties, both the parties have arrived at an amicable settlement under which, the following settlement has been arrived.

(a) The appellant Insurance Company shall pay a sum of Rs.6,00,000/- (Rupees Six Lakhs only) with interest at the rate of 7.5% and costs. Since the Insurance Company has deposited only a sum of Rs.25,000/-, the same shall be verified and if the remaining amount, as per the settlement reached between the parties, is not deposited, the same with interest shall be deposited by the Insurance Company within a period of four weeks from the date of receipt of a copy of this Award.

(b) The respondents shall be at liberty to withdraw the said amount with interest and costs, by filing a formal petition before the Tribunal and once such petition is filed, without insisting upon any other formalities, they shall be given the payment out.

3. The Civil Miscellaneous Appeal is settled and disposed of accordingly.

United India Insurance Company Ltd.,
Having its Branch Office at
No.4, Promenade Road,
Cantonment 620 001.
Tiruchirappalli.

Counsel for the Appellant

1.S.Thiyagarajan
2.S.Nasurudeen
3.Vijayalakshmi

Counsel for the respondents

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

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and 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.The Motor Accidents Claims Tribunal (Special Subordinate Judge), Erode.
 - 2.The Secretary, High Court Legal Services Committee, Chennai.
 - 3.The Section Officer, E.R/V.R.Section, High Court, Madras.
 - 4.The Section Officer, Lok Adalat Section, High Court, Madras.
- +2 copies



WEB COPY

R.SURESH KUMAR,J.

Sgl/Ssb



C.M.A.No.139 of 2018

WEB COPY

13.07.2019