

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 9th day of December 2017

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE S.M.SUBRAMANIAM
and

Members

Mr.R.Jayaratchakan

Mr.V.Kumaravelan

C.M.A.No.386 of 2017

(Appeal against the judgment and decree passed on 26.10.2016 in M.C.O.P.No.891 of 2010 on the file of the Motor Accidents Claims Tribunal (Sub-Judge, Sankari)

Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Coimbatore Division-I,
37, Mettupalayam Road,
Coimbatore.

..Appellant

/vs/

1. Sudhakar
2. Thirumoorthi
3. Saraswathi
4. Radhika
5. United India Insurance Co. Ltd.,
D.O.III, E.P. Building 24, Mill Road,
Coimbatore.

..Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.K.J.Sivakumar, learned counsel for appellant and Mr.K.Sidheswaran, learned counsel for the respondents is 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.70,85,000/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit and costs as compensation. It is represented by the learned counsel for the claimant that the amount has already been deposited before the Tribunal and the same has been withdrawn by the claimants / respondents. Not being satisfied with the award of the Tribunal, the appellant/Transport Corporation has preferred the present appeal.

2.After due deliberation and consultation, both the parties have agreed to the

<http://www.judis.nic.in> enhanced award amount of Rs.94,00,000/- (Rupees Ninety Four Lakhs only) in full quit

S.M.SUBRAMANIAM, J.

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(inclusive of interest) over and above the award passed by the Tribunal as compensation and the same is awarded.

3.The appellant/Transport Corporation is directed to deposit the above said enhanced award amount of Rs.94,00,000/- (Rupees Ninety Four Lakhs only) in full quit (inclusive of interest) over and above the award passed by the Tribunal, after deducting the amount already deposited, if any, within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the respondents/claimants are permitted to withdraw the enhanced award amount, less the amount already withdrawn by them. Award is modified accordingly.

4. The Tribunal is directed to issue the cheques to the parties on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

Managing Director,
Tamil Nadu State Transport Corporation,
Coimbatore.

Counsel for the Appellant

1. T.Sudhakar

2. P.Thirumoorthi

3. T.Saraswathi

Counsel for the Respondent

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, Sub-Judge, Sankari.
- 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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