

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th July, 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 G.K.ILANTHIRAIYAN

Members:- (1) Mr.N.Sivathanu, District Judge (Retd.)
(2) Mr.S.Arokiamaniraj, Advocate

CMA.No.1650 of 2018 and CMA.Sr.No.12375 of 2018

(Civil Miscellaneous Appeal against the award and decree passed, **dated** 1.2.2018 in **MCOP.No.1026 of 2017**, on the file of the Motor Accidents Claims Tribunal (**Special Subordinate Judge**) at Cuddalore.

CMA.No.1650 of 2018

The Divisional Manager,
National Insurance Company Limited,
Divisional Office, No.30, JN Street, Pondicherry-605 001
Vs.

Appellant(s)

1.Valli
2.T.Thanikachalam
3.Kasinathan.J

Respondent(s)

CMA.SR.No.12375 of 2018

1.Valli
2.T.Thanikachalam
3.Kasinathan.J

Respondent(s)

Vs.

The Divisional Manager,
National Insurance Company Limited,
Divisional Office, No.30, JN Street, Pondicherry-605 001

Appellant(s)

This case came up for settlement before the National Lok Adalat. Both the parties are present. **Mr.G.Anandan**, the learned counsel for the Insurance Company and the claimants 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

Both the appeals arise out of the common award dated 1.2.2018 passed by the Motor Accidents Claims Tribunal, Special Subordinate Judge, Cuddalore in MCOP.No.1026 of 2017. While CMA.No.1650 of 2018 has been filed by the Insurance Company,

CMA.SR.No.12375 of 2018 has been filed by the Claimants seeking enhancement of the compensation awarded by the Tribunal.

2.The Quantum of Compensation awarded by the Tribunal is Rs.12,73,300/- with interest at 7.5% per annum from the date of petition till the date of deposit of compensation.

3. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.11,25,000/- with interest at 7.5% per annum from the date of petition till the date of deposit and the same is hereby awarded. The Award is modified accordingly.

4.The Insurance Company is directed to deposit the above said modified award amount of Rs.11,25,000/- with interest, less 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 are entitled to receive their respective shares along with accrued interest, as apportioned by the Tribunal. Award is passed accordingly.

5.The Tribunal is directed to transfer the respective shares, to the claimants' Savings Bank Account, through RTGS/NEFT, on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

6.Both the Civil Miscellaneous Appeals are disposed of accordingly. No costs. Consequently, the connected miscellaneous petition, if any, is closed.

The Divisional Manager
National Insurance Company Ltd
Pondicherry.

Counsel for the Insurance Co.

1.Valli

2.T.Thanikachalam

3.Kasinathan.J

Counsel for the claimants.

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

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.The Motor Accidents Claims Tribunal, Special Sub Court, Cuddalore.
- 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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G.K.ILANTHIRAIYAN, J.

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CMA.No.1650 of 2018 and CMA.Sr.No.12375 of 2018



13.07.2019

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