

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

and

Members

Mr.N.Sivathanu, District Judge (retd)

Mr.S.Arokiamaniraj

C.M.A.NO.1759 OF 2018

(Appeal against the judgment and decree passed on 05.01.2017 made in MCOP.No.1064 of 2014 on the file of the Motor Accidents Claims Tribunal (Principal District Court), Cuddalore

The National Insurance Company Ltd.,
No.165, Nethaji Road, Manjakuppam,
Cuddalore

.. Appellant

/versus/

1.R.Krishnamoorthy

2.R.Durairaj

3.R.Sangeetha

4.M.Bharath

(R4 set exparte before the Tribunal)

.. Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.S.Vadivel, learned counsel for the appellant/Insurance Company and Mrs.Ramya.V.Rao, learned counsel for respondents 1 to 3 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 Tribunal has awarded a sum of Rs.16,60,000/- with interest at the rate of 7.5% per annum as compensation to the claimants. Challenging the

award amount, the Insurance company has preferred this appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award amount to a sum of Rs.12,60,000/- (Rupees Twelve Lakhs and Sixty Thousand Only) with interest at the rate of 7.5% per annum till the date of deposit and the award is hereby modified accordingly. The respondents/claimants are entitled to receive the same as per the ratio of apportionment made by the Tribunal.

3. Hence, the Appellant / Insurance company is directed to deposit the modified amount 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 being made, the Tribunal shall transfer the same to the respective bank accounts of the claimants by way of NEFT/RTGS on proper identification.

4. Accordingly, the Civil Miscellaneous Appeal is disposed of. Consequently, connected miscellaneous petition is closed, if any.

The National Insurance Company Ltd.,
No.165, Nethaji Road, Manjakuppam,
Cuddalore

Counsel for the Appellant

1. R. Krishnamoorthy

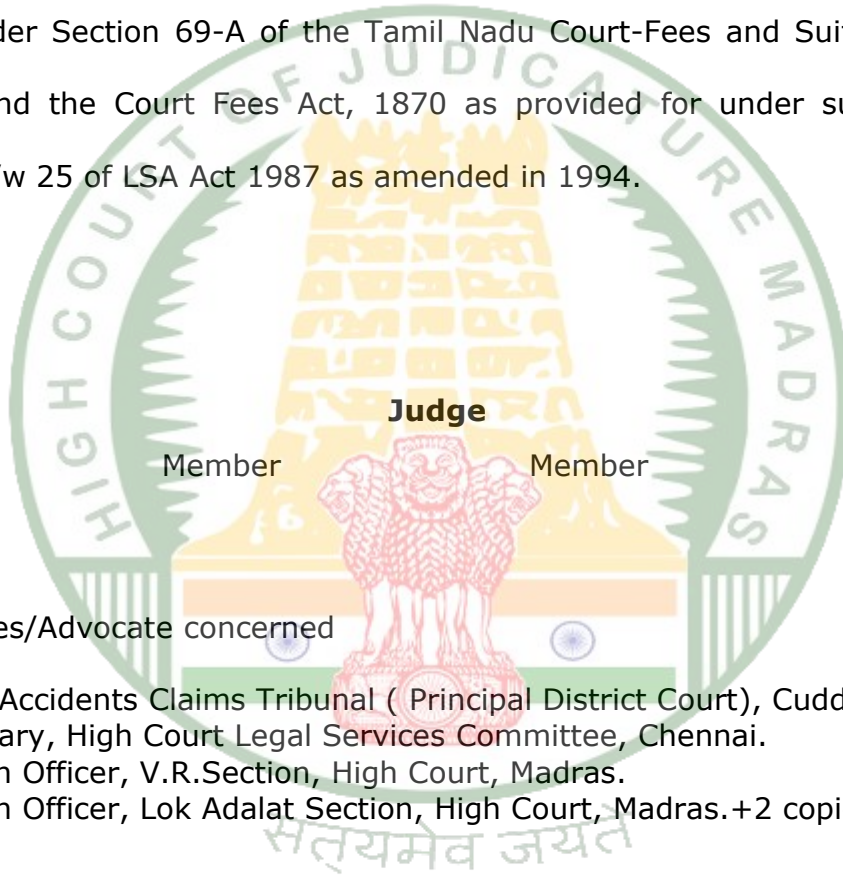
2. R. Durairaj

3. R. Sangeetha

Counsel for respondents 1 to 3

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.



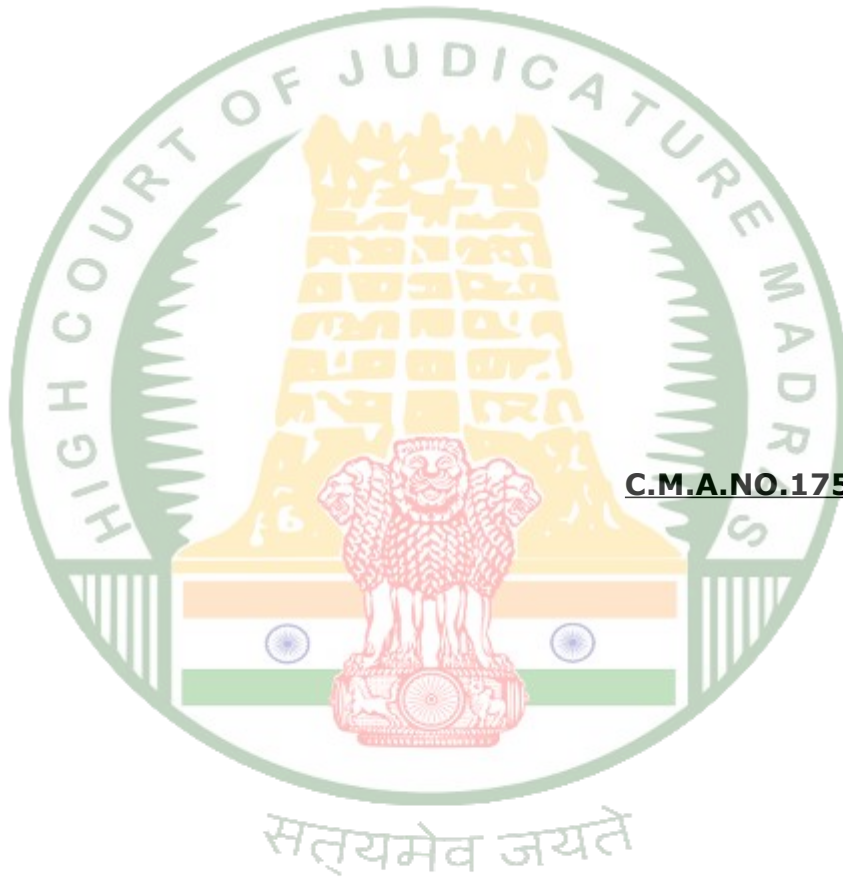
To: The parties/Advocate concerned
Copy to:

1. The Motor Accidents Claims Tribunal (Principal District 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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Dated : 13.07.2019