

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 30th day of April, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE MALAI SUBRAMANIAN (Retd.)
and

Members

Mr.S.S.Jhothivani
Mr.Mohamed Ismail

C.M.A.No.2252 of 2019

Appeal against the Judgment and Decree dated 18.12.2018 made
in EC. No.429 of 2014, on the file of Joint Commissioner of
Labour - II, Chennai.

M/s.National Insurance Company Limited,
T.P. HUB, 3rd Floor,
No.751, Anna Salai,
Chennai - 600 006. .. Appellant

Vs.

1.S.Shankar Ganesh (Since Deceased)
2.Sathiyabama
3.Kanagarathi
4.G.Yuvaraj
(4th Respondent set exparte before the Tribunal) .. Respondents

This case has been listed today and came up for settlement
before the Lok Adalat. Both parties are present. The learned
counsel for the appellant M/s.R.Rathna Thara and the learned
counsel for the Respondents Mr.K.Baskaran and Mr.R.Premchander,
Manager (Legal), for the National Insurance Company Ltd., 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 Commissioner for Employees Compensation has awarded a
sum of Rs. 11,34,102/- (Rupees Eleven Lakhs Thirty Four

Thousand One Hundred and Two only) with interest at 12% per annum from the date of petition till the date of deposit. Aggrieved by the award of the Joint Commissioner of Labour -II, the appellant / Insurance Company has preferred the present appeal. The appellant / Insurance company has already deposited the entire award amount of Rs.14,79,504/-.

2. After due deliberation and consultation, it is agreed by both the parties, that out of the deposited amount, the Respondents 2 & 3 shall withdraw a sum of Rs.13,79,504/- (Rupees Thirteen Lakhs Seventy Nine Thousand Five Hundred and Four only) in full quit and the balance amount will be withdrawn by the appellant / Insurance company, within a period of eight weeks from the date of receipt of copy of this order.

3. On such deposit, the 2nd respondent / 2nd claimant, wife of the deceased is entitled to withdraw an amount of Rs.10,00,000/- (Rupees Ten Lakhs only), 3rd Respondent / 3rd Claimant, mother of the deceased is entitled to withdraw an amount of Rs.3,79,504/- (Rupees Three Lakhs Seventy Nine Thousand Five Hundred and Four only) without filing any dependent enquiry before the Joint Commissioner of Labour - II. Award is distributed as per the wishes of the Respondents / Claimants. Award is passed accordingly.

4. The Joint Commissioner of Labour - II, is directed to issue the cheque to the parties concerned on proper identification in accordance with the terms of the award, without insisting on any formal dependent enquiry. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed, if any.

Sd/-

M/s.National Insurance Company Limited,
T.P. HUB, 3rd Floor,
No.751, Anna Salai,
Chennai - 600 006.

Sd/-

Counsel for Appellant

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Sd/-

1.S.Shankar Ganesh (Since Deceased)

Sd/-

2.Sathiyabama

Sd/-

3.Kanagarathi

Sd/-

Counsel for 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.

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar(III)

//True copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

- 1.The Employees Compensation, Joint Commissioner of Labour - II, Chennai.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.(2 copies)
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.+2 copies

C.M.A.No.2252 of 2019

KS (CO)
GMY (12/07/2019)

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