

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th September , 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 V.PARTHIBAN

Members:- (1) Mr.Ravindra Bose, District Judge (Retd.)
(2) Ms.S.S.Jothivani

CMA.No.1951 of 2018

(Civil Miscellaneous Appeal against the award and decree passed, dated 06.01.2016 in **MCOP.No.5333 of 2013**, on the file of the Motor Accidents Claims Tribunal, Chennai - IV, Court of Small Causes, Chennai.

The Managing Director
Tamil Nadu State Transport Corporation Limited,
Thirunalveli - 627 087.

Appellant

Vs.

1.Mrs.Radhika
2.G.Nandhini Sree
3.G.Jay Venkatesh (Minor)

Rep by his mother Mrs.Radhika

Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. **Mr.K.S.Suresh**, the learned counsel for the Appellant / Corporation and **Mr.S.Haridass**., the learned counsel for the respondent / claimant is 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

1. This Appeal has been filed by the **Appellant/ Transport Corporation** against the impugned award of the Tribunal.
2. When the matter is taken up for hearing today, on behalf of the Transport Corporation, **Mr.K.S.Suresh**, learned counsel appeared and on behalf of the appellant, **Mr.S.Haridass**, learned counsel appeared and the respondents 1 & 2 / mother and the major daughter are also present.
3. It is represented by the learned counsel appearing on behalf of the Corporation that the Corporation is willing to settle the entire claim for a sum of Rs.16,00,000/- as Full Quit. However, it is represented that already an amount of Rs.8,93,540/- has been deposited.

<http://www.judis.nic.in>4. The Trial Court while granting award of Rs.12,39,000/- has apportioned the relief

as under;

Minor Son (at that time) : Rs.3,19,500/-
 Daughter (at that time) : Rs.3,19,500/-
 Widow : Rs.6,00,000/-

5. In view of the full settlement of **Rs.16,00,000/-**, as agreed by the Corporation, the entitlement of minor son and daughter are fixed at **Rs.3,20,000/-** each and the remaining amount of **Rs.9,60,000/-** shall become payable to the wife of the deceased.
6. The remaining amount, apart from the amount award already deposited, shall be deposited within a period of twelve weeks from the date of receipt of copy of this Order.
7. In case, there is any default in making payment before the stipulated time, the amount shall carry @ 7.5% interest from the date of this award till the date of payment.
8. On such deposit, the respondents/claimants shall be at liberty to withdraw the said amount by filing a formal petition before the Tribunal. Award is passed accordingly.
9. The Tribunal is directed to issue the cheques to the parties concerned 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. The connected CMP is closed.

The Managing Director
 Tamil Nadu State Transport Corporation Limited,
 Thirunalveli - 627 087.

Counsel for the Appellant

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1.Mrs.Radhika
 2.G.Nandhini Sree
 3.G.Jay Venkatesh (Minor)
 (Rep by his mother Mrs.Radhika)

Counsel for the Respondents

This National Lok Adalat Award is passed in terms of the above settlement. The Court fee paid shall be refunded to the parties in the manner provided under 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/Advocates concerned.

Copy to:

- 1.Motor Accidents Claims Tribunal, Chennai - IV, Court of Small Causes, Chennai.
- 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

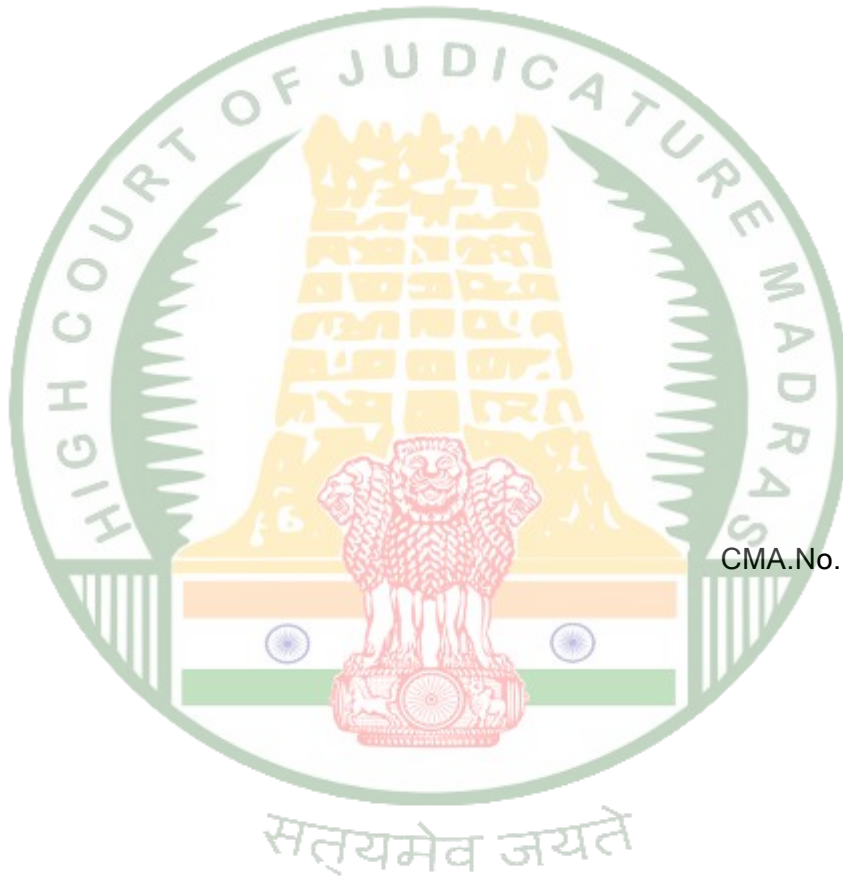
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V.PARTHIBAN, J.

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14.09.2019