

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
 National Lok Adalat organized by the High Court Legal Services Committee
 Saturday, the 14th December, 2019
NATIONAL LOK ADALAT AWARD
 (Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Honourable Mr.JUSTICE P.RAJAMANICKAM

Members:

Mr.G.Dhanaraj
 Mr.V. Shanmugasundaram

and

C.M.A.No.2850 of 2019

(Appeal against the Judgment and decree passed on 11.10.2018 in M.C.O.P.No.414 of 2017 on the file of the Motor Accidents Claims Tribunal, (Additional District Judge), Hosur.

The Manager,
 National Insurance Co.Ltd.,
 Division IV, 1st Floor, Flat No.C-17 to 19,
 Minerva Complex, SD Road,
 Secunderabad, Telengana 500 003.
 C/o. The Divisional Manager,
 National Insurance Co.Ltd.,
 Divisional Office No.9, Infantry Road,
 Near Alankar Theatre, Vellore 632 002.

... Appellant /2nd Respondent

Vs.

- 1.Ramappa
- 2.Venkatalakshmi
- 3.Minor.Vinod
- 4.Minor.Harish

(3 & 4 minors are rep.by
 Grand Father Ramappa)

- 5.S.Viswanath

...Respondents

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Though this case has not been listed in the cause list before the National Lok Adalat, since it is represented that the parties are willing for settlement, this case is taken up for final disposal. Both the parties are present. Mr.D.Bhaskaran, the learned counsel for the appellant and Mr.Mukund R.Pandiyar, the learned counsel for the respondents are present. After discussion and negotiation, the matter is settled as follows:

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.22,97,600/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit and costs as compensation. Challenging the quantum of compensation, the appellant/Insurance Company has preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award amount to the tune of Rs.19,00,000/- (Rupees Nineteen Lakhs Only) with proportionate interest of 7.5% per annum from the date of petition till the date of deposit, and the award is accordingly modified.

3. In view of the above, the appellant/Insurance Company is directed to deposit the modified award amount, 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 major claimants are permitted to withdraw their proportionate share with interest and with regard to minor claimants/ respondents 3 and 4 are concerned the award amount is directed to re-deposit into the Nationalized Bank with interest and the first respondent is permitted to withdraw the interest for the minor shares once in six months till attaining majority of the minor claimants.

4. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed, if any.

The Manager,
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C/o. The Divisional Manager,
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Near Alankar Theatre, Vellore 632 002.

Counsel for the Appellant

- 1.Ramappa
- 2.Venkatalakshmi
- 3.Minor.Vinod
- 4.Minor.Harish

(3 & 4 minors are rep.by
Grand Father Ramappa)

Counsel for the respondents

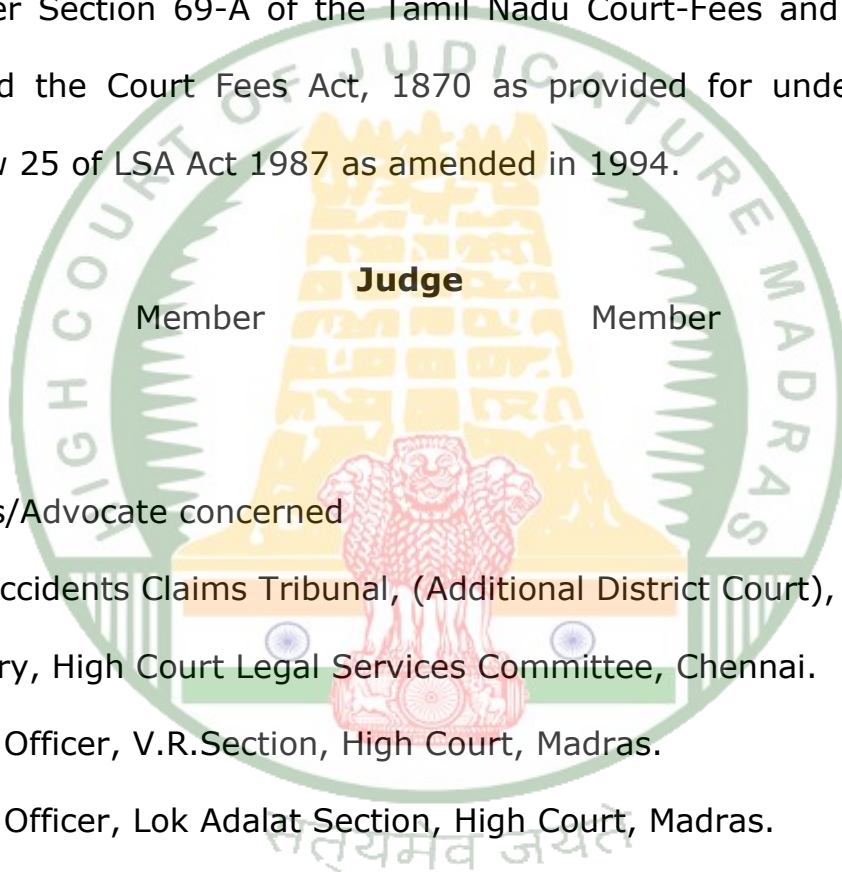
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P.RAJAMANICKAM, J.

dna/vv

This National 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, (Additional District Court), Hosur.
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.

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14.12.2019