

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 09th day of March, 2019

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE C. SARAVANAN
and

Members

Mrs.P.Kavitha Balakrishnan

Mr.Daniel Haridoss

C.M.A.No.2053 OF 2018

[Appeal against the judgment and decree passed on 22.06.2018 in MCOP.No.3172 of 2015 on the file of the Motor Accidents Claims Tribunal) Special Sub Court No.1, Small Causes Court, Chennai)

P.Arul

... Appellant

Vs.

1. G.Marimuthu

2. TATA AIG General Insurance Co., Ltd.,
Sampson Towers, 2nd Floor,
No.403-L, Pantheon Road,
Egmore, Chennai 600 008.

(1st respondent was set exparte before the Tribunal)

.. Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant Mr.M.Swamikannu and learned counsel for the 2nd respondent / Insurance Company, Mr.M.B.Raghavan 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.1,37,500/- with interest at 7.5% per annum from the date of petition till the date of deposit. It is represented by the learned counsel for the second respondent that the entire amount has already been deposited before the Tribunal and the same has been withdrawn by the appellant.

2. Not satisfied with the award of the Tribunal, the claimant / appellant has preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.1,00,000/- (Rupees One Lakh only) in full quit over and above the amount awarded by the Tribunal.

3. The 2nd respondent/Insurance Company is directed to deposit the enhanced award amount of Rs.1,00,000/- (Rupees One Lakh only) in full quit, within a period of four weeks from the date of receipt of a copy of this order, failing which, it shall be paid with interest at the rate of 7.5% per annum from this date till the date of deposit. On such deposit, the claimant / appellant is permitted to withdraw the enhanced award amount without filing any formal petition. The Award is passed accordingly.

4. The Tribunal is directed to issue the cheque to the party 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.

P.Arul

Counsel for the Appellant

TATA AIG General Insurance Co., Ltd.,
Sampson Towers, 2nd Floor,
No.403-L, Pantheon Road,
Egmore, Chennai 600 000.

Counsel for the 2nd respondent

This 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

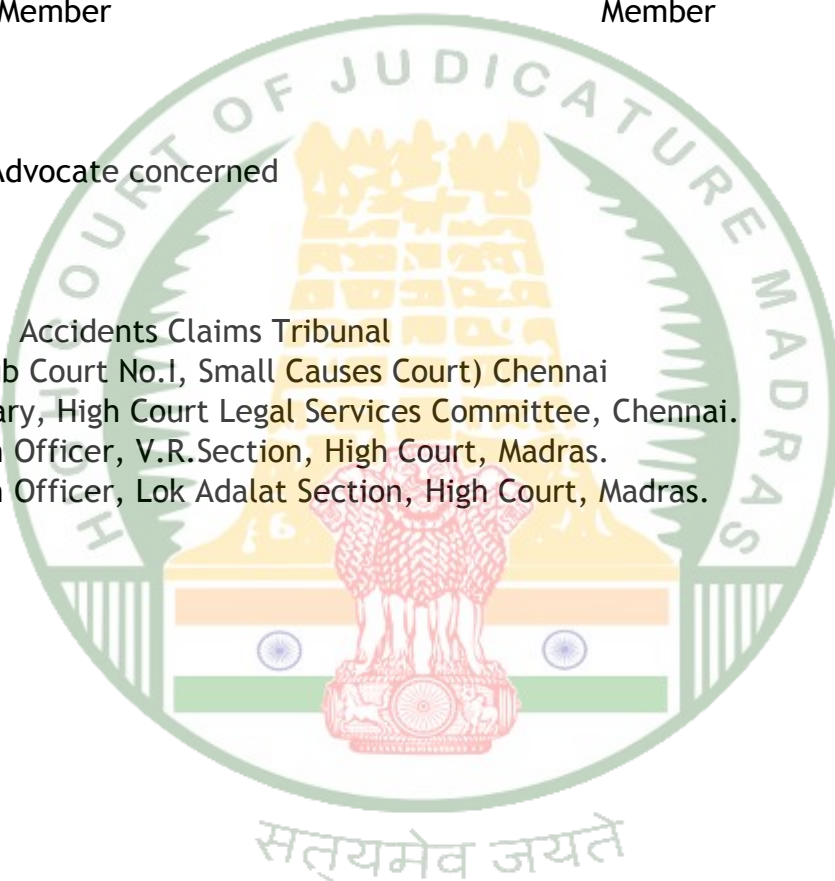
Member

Member

To
The parties/Advocate concerned

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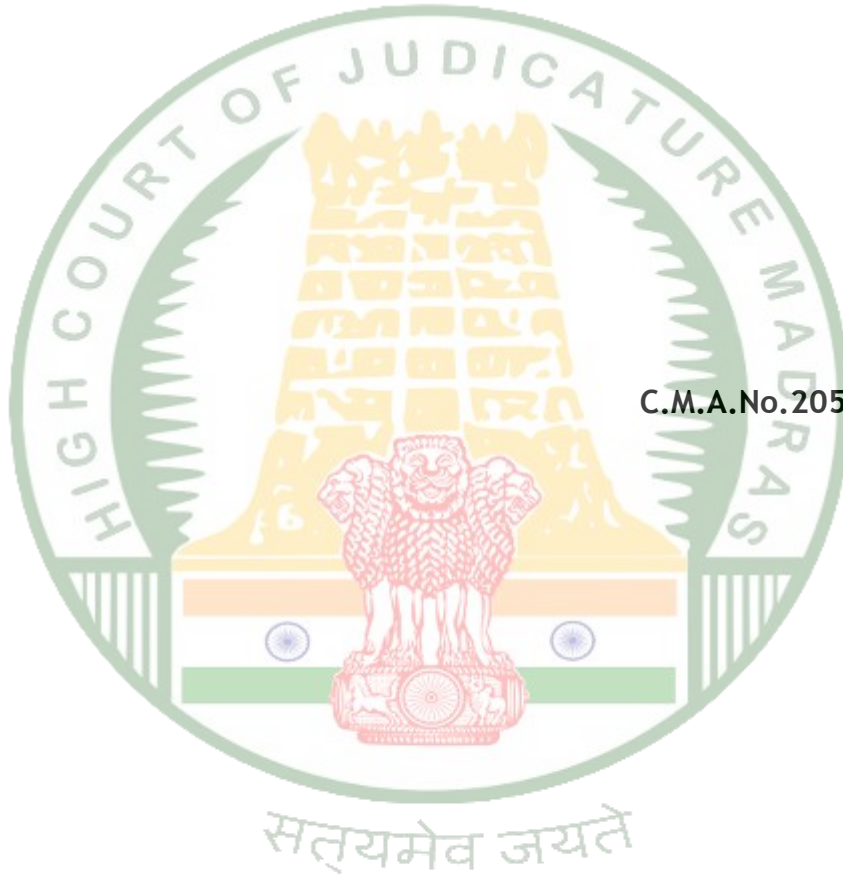
- 1.The Motor Accidents Claims Tribunal
(Special Sub Court No.I, Small Causes Court) Chennai
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.



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C.SARAVANAN,J.

kkd/vkr



C.M.A.No.2053 OF 2018

09.03.2019

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