

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th day of July, 2019

LOK ADALAT AWARD

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

Presided over by

The Honourable Mr.JUSTICE R.SURESH KUMAR
and

Members:

Ms.V.Ahalya, D.J. (Rtd.)

Ms.V.J.Latha

C.M.A.No.2201 of 2019

Appeal against the Judgment and Decree dated 24.01.2019 made in M.C.O.P.No.1309 of 2016 on the file of the Motor Accidents Claims Tribunal (Special Subordinate Judge Court No.2), Salem.

Praveenkumar

Vs.

.. Appellant

1.M/s.Rajaganapathy Transports,
No.9/55, RSP Thottam, Seelanaickenpatty,
Salem 636 201.

2.The United India Insurance Company Limited,
Divisional Office HUB, Renga Building,
Permanur Main Road, Parmanur, Salem 636 007.

... Respondents

On representation made by both the counsels, this case is taken up for settlement. Both the parties are present. Mr.C.Paraneedharan, learned counsel for the appellant and Mr.C.Paranthaman, learned counsel for the 2nd respondent 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

This appeal was filed by the claimant as against the award dated 24.01.2019 passed in M.C.O.P.No.1309 of 2016 by the Motor Accidents Claims Tribunal (Special Subordinate Judge Court No.2), Salem, under which the Tribunal awarded a compensation of Rs.5,91,861/- with interest at the rate of 7.5% per annum.

2. Now today, after negotiation, deliberation and discussion with the parties, the parties arrived at an amicable settlement under which, the following settlement has been arrived.

- a) Over and above the award of the Tribunal, the appellant / claimant shall be paid a further sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) as full quit.
- b) It is made clear that as per the award of the tribunal, the award amount will carry interest as ordered by the Tribunal.
- c) The present enhanced amount of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) settled between the parties, over and above the amount already awarded by the tribunal, will not carry any interest.
- d) Since the entire award amount has already been deposited, the enhanced amount of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand only), shall be deposited by the Insurance Company within a period of four weeks from the date of receipt of a copy of this Award.
- e) The claimants shall be free to withdraw the entire award including the enhanced amount as per the settlement arrived today, by filing a formal petition before the Tribunal and once such petition is filed, without insisting upon any other formalities, he shall be given the payment out.

3. The Civil Miscellaneous Appeal is settled and disposed of accordingly.

Praveenkumar

Counsel for the Appellant

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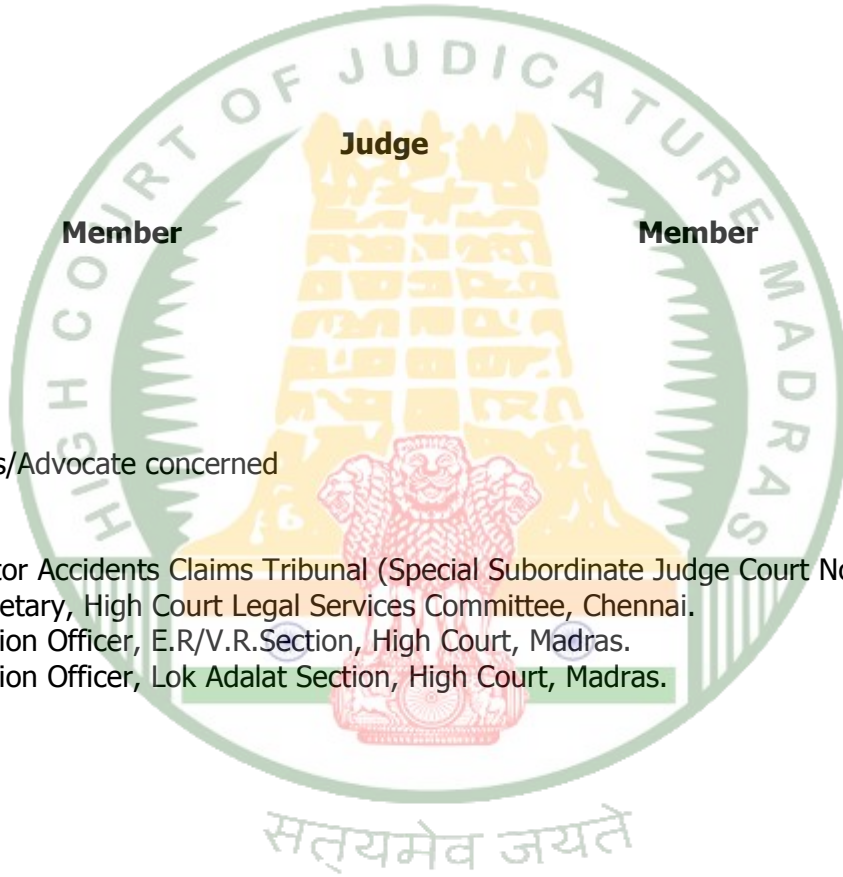
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Counsel for the respondents

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.



To:
The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal (Special Subordinate Judge Court No.2), Salem.
 - 2.The Secretary, High Court Legal Services Committee, Chennai.
 - 3.The Section Officer, E.R/V.R.Section, High Court, Madras.
 - 4.The Section Officer, Lok Adalat Section, High Court, Madras.
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R.SURESH KUMAR,J.

Sgl/Ssb



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13.07.2019