

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th day of December, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE M.DHANDAPANI
and

Members

Mr.Pa.Kadirvel
Mr.Ravinder Bose

C.M.A.No.2115 of 2018

(Appeal against the judgment and decree passed on 09.01.2017 made in M.C.O.P.No.5010 of 2013 on the file of Motor Accident Claims Tribunal, In the II court of Small Causes, Chennai.)

The Managing Director
The Tamilnadu State Transport Corporation
(VPM) Ltd, No.3/37,
Salamedu, Valudareddy,Villupuram. ... Appellant

/versus/

1.K.A.Vathsalan
2.A.V.Diwarhar
3.V.Dharshini
(Declared major as per order in
MP.No.479 of 2016 on 18.02.2016) ... Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.K.J.Sivakumar, learned counsel for appellant and Mr.Kalaiarasan, learned counsel for the respondents 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.24,08,000/- with interest at the

rate of 7.5% per annum from the date of numbering of the petitioner till the date of deposit. Aggrieved by the said compensation, the appellant/ Transport Corporation has preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed to modify the award of the Tribunal to a sum of Rs.30,50,000/- (Rupees Thirty Lakhs and Fifty thousand Only) in full quit.

3. The appellant Transport Corporation is directed to deposit the modified award amount arrived at today, less the amount already deposited, if any, within a period of twenty four weeks from the date of receipt of a copy of this order, to the credit of M.C.O.P.No.5010 of 2013 on the file of Motor Accident Claims Tribunal, In the II court of Small Causes, Chennai, failing which, the appellant shall deposit the modified award amount with simple interest at the rate of 6% p.a.

4. On such deposit being made, the major respondents / claimants are permitted to withdraw their respective shares. The first respondent is entitled to a sum of Rs.8,00,000/-, the second respondent is entitled to a sum of Rs.7,50,000/- and the third respondent is entitled to a sum of Rs.15,00,000/-.

5. The Tribunal is directed to transfer the above said award amount to

the Bank account of the respondent / claimant by way of NEFT / RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

6. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected civil miscellaneous petition, if any, is closed.

The Managing Director
The Tamilnadu State Transport Corporation
(VPM) Ltd, No.3/37,
Salamedu, Valudareddy, Villupuram.

Counsel for the Appellant

1.K.A.Vathsalan

2.A.V.Diwarhar

3.V.Dharshini

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.

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Judge

Member

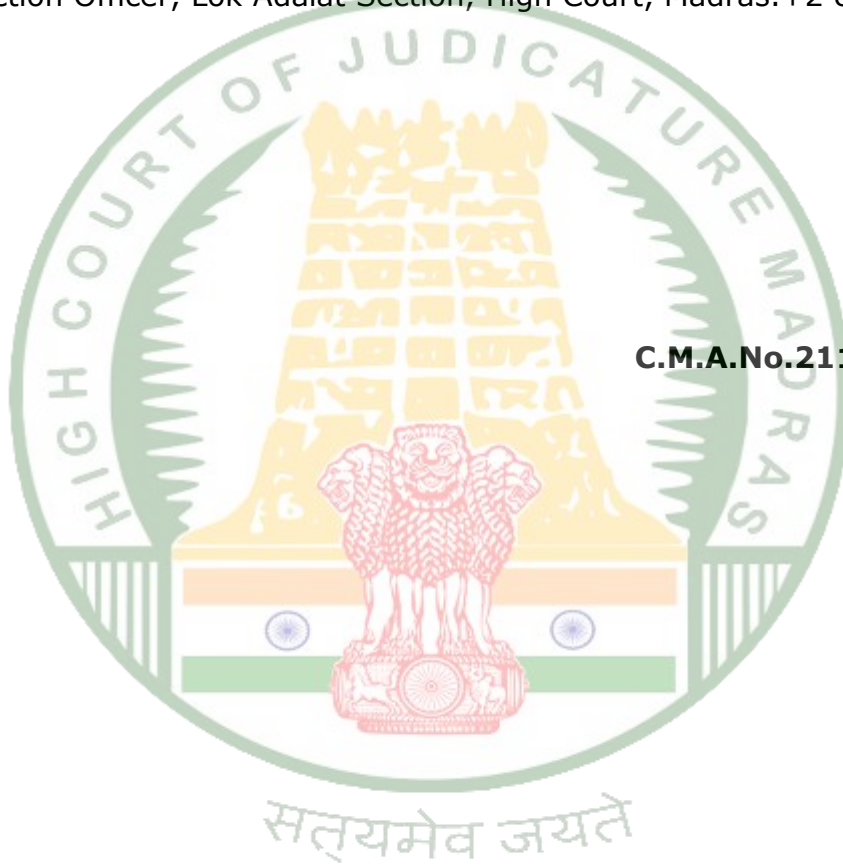
Member

To: The parties/Advocate concerned

M.DHANDAPANI,J.
Jrs/kas

Copy to:

- 1.The Motor Accident Claims Tribunal,
In the II 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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14.12.2019

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