

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.4235 of 2019

(Appeal against the Judgment and decree passed on 04.08.2018 in M.C.O.P.No.17 of 2016 on the file of the Motor Accidents Claims Tribunal, Additional District Judge, Hosur).

The Branch Manager,
National insurance Co. Ltd.,
1st Floor, Sharadamma Building,
Bye-Pass Road, Hosur,
Krishnagiri District.
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.Mallappa

2.Shankar (driver)

...Respondents

Though this case is not listed today, it is taken up for settlement before the National Lok Adalat at the instance of the learned counsel for the petitioner. Both the parties are present. Mr.S.Arun Kumar, the learned counsel for the appellant and Mr.C.Prabakaran, the learned counsel for the first 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

The Tribunal has awarded a sum of Rs.11,99,219/- 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.8,00,000/- (Rupees Eight 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 first respondent/claimant is entitled to withdraw the same with proportionate interest.

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

The Branch Manager,
National Insurance Co. Ltd.,
1st Floor, Sharadamma Building,
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C/o. The Divisional Manager,
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Counsel for the Appellant

Mallappa

Counsel for the first respondent

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.

Judge

Member

Member

P.RAJAMANICKAM, J.

sbn/gv

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, Additional District Judge, 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.

C.M.A.No.4235 of 2019



सत्यमेव जयते

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