

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-II organised by the High Court Legal
Services Committee

Monday, the 14th day of October 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. JEYAPPAUL (Retd.)

and

Member

Mr. A. Kothandaraman (Advocate)

C.S.No.31 of 2016

Civil Suit has been filed by the plaintiffs
against the first, second and third defendants
seeking the following reliefs:

a. Direct the defendants to pay compensation
Rs.26,00,000/- together with interest at the rate
of 9% per annum from the date of the accident i.e.
on 31.05.2015 till the date of realization;

b. to pay the cost of the suit and

c. to grant such further or other reliefs as
may deem fit.

1. Mohamed Sali,
S/o Syed Ibrahim,

2. M. Ayesha Banu (Minor)
Rep by her father and natural
guardian Mr. Mohamed Sali,
both are residing at No.6/20,
3rd Street, K.Pudur,
Ashok Nagar, Chennai - 83.

... Plaintiffs

Vs.

1. Om Sakthi Entertainments
Exhibition & Amusement Park Operators,
New No. 31, Old No. 15, Lala Kutty Street,
Periamet, Chennai - 3.

2. The Divisional Manager,
The Oriental Insurance Company Ltd,
Public Liability Non- industrial Policy,
No.115, Prakasam Salai, Chennai - 108

3. The Branch Manager,
United India Insurance Company Limited,
No. 33, Whites road,
Chennai - 14.

... Defendants

This case came up for settlement before the Lok
Adalat. Both the parties are present. M/s.G.Perumal
and G. Ramesh Kannan the learned counsel for the
Plaintiffs and M/s. Narichania, the learned

counsel for the 2nd Defendant and Mr. Vijayaragavan for M.B.Gopalan Associates the learned counsel for the 3rd Defendant are also present. The first Defendant was already set ex-parte.

O R D E R

The above Suit has been filed by the Plaintiffs being the husband and minor daughter of the deceased Bousia Begum who died in an accident that took place in the Exhibition organized by the first defendant. Public liability that may be accrued on the conduct of Exhibition was insured by the first defendant with the second and third defendants.

2.The First plaintiff representing the minor second plaintiff was present along with his counsel. Representatives of the second and third defendants were also present along with counsel for the second defendant.

3. Joint memorandum of compromise was filed by both the parties. Both the parties agreed, that the second defendant Oriental Insurance Company Limited shall pay a sum of Rs.5,25,000/- through NEFT to and in favour of the first plaintiff Mr. Mohamed Sali (Bank Account No: 1278155000116975) K.V.B, Ashok Nagar, Chennai and the third defendant United India Insurance Company Limited shall deposit a sum of Rs.5,25,000/- in the name of the minor second plaintiff M.Ayesha Banu (Account No: 1278155000122052) Karur Vysya Bank Limited, Ashok Nagar Branch, Chennai for a period of one year. In other words, in the joint memorandum of compromise, the defendants 2 and 3 have agreed to pay a sum of Rs.10,50,000/- towards compensation for the death of Bousia Begum which shall be shared equally by the first plaintiff and the second plaintiff in the above detailed proportion and the second plaintiff

is also entitled to withdraw the deposit made by the third defendant along with the interest accrued thereon after she attained majority.

4. In the aforesaid terms reflected in the joint memorandum of compromise filed by both the parties, the suit is disposed of. The joint memorandum of compromise shall form part of the award.

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the 1st plaintiff 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.

Mohamed Sali,
(for himself and on behalf of the 2nd plaintiff)

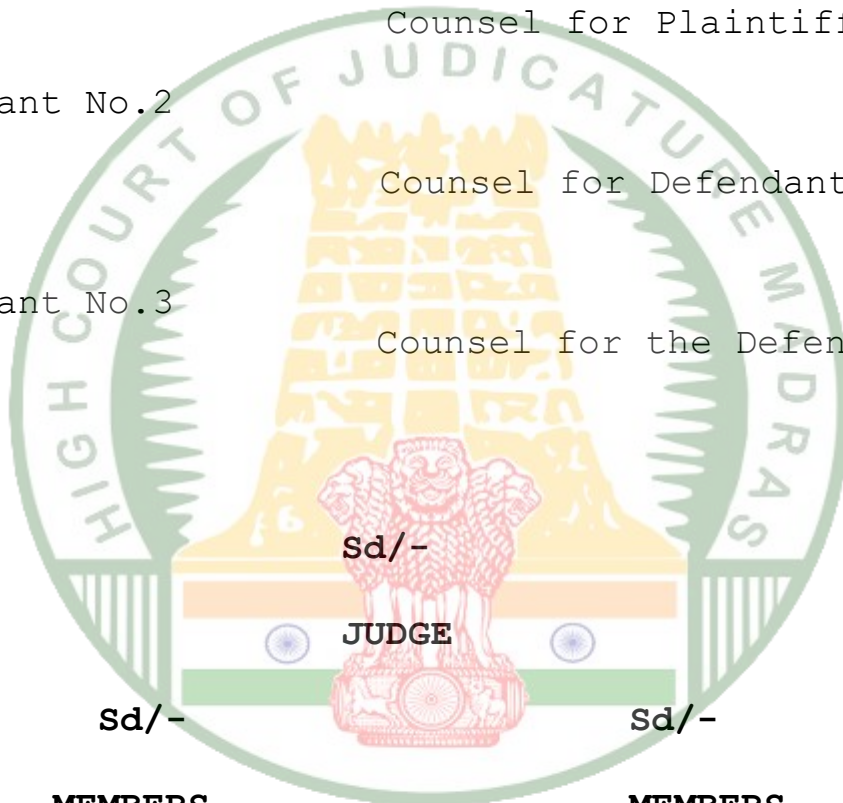
Counsel for Plaintiff

Defendant No.2

Counsel for Defendant 2

Defendant No.3

Counsel for the Defendant 3



MEMBERS

MEMBERS

Sd/-

Assistant Registrar(LA)

WEB COPY
// The Certified to be true copy //

Sub-Assistant Registrar(OS)

To: The parties/Advocate concerned

Copy to:

1. The Secretary,
High Court Legal Services Committee,
Chennai.
2. The Section Officer,
Lok Adalat Section,
High Court, Madras.+3 copies
3. The Record Keeper,
Original side,
High Court, Madras.



C.S.No.31 of 2016

M.JEYAPPAUL, J. (Retd.)

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14.10.2019