

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 by

THE HON'BLE Mr. JUSTICE M.NIRMAL KUMAR

and

Members:

Mr.Sankaranarayanan Pillai.T
Mr.Tanquebar Dorai Vasu

C.M.A.No.302 of 2018

(The Appeal is not listed today, however, with the consent of the parties, it is taken up for settlement. The Appeal is filed against the judgment and decree passed in M.C.O.P.No.1219 of 2012 on the file of the Motor Accident Claims Tribunal, IV Court of Small Causes, Chennai, dated 31.10.2017).

E.Sundaresan

...Appellant

Vs.

1.P.Kumar

2.United India Insurance Co. Ltd.,
Sillingi Building, New No.134,
Old No.40-45, Grems Road,
Chennai 600 006.

...Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Ms.Ramya, is present. The learned counsel for the 2nd respondent Mr.S.Arunkumar is present and officials of Insurance Company are also 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.1,48,300/- with interest at 7.5% p.a. from the date of numbering of the petition till the date of deposit as compensation.

2. Aggrieved by the award of the Tribunal, the Appellant has preferred the present appeal. The amount awarded by the Tribunal has already been deposited by the Insurance Company and the same has been withdrawn by the appellant.

3. By way of compromise, the 2nd respondent/insurance company agreed to pay a sum of Rs.1,20,000/- (Rupees one lakh and twenty thousand only) in full quit (inclusive of interest) in addition to the award amount of the Tribunal as compensation and the same is agreed by both sides.

4. The Insurance company is directed to deposit a sum of Rs.1,20,000/- over and above the award of the Tribunal in full quit (inclusive of interest), within a period of six weeks from the date of receipt of a copy of this award, to the credit of M.C.O.P.No.1219 of 2012 before the concerned Tribunal. Award is modified accordingly.

5. The Tribunal is directed to transfer the above said modified award amount to the individual bank account of the appellant 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. Connected miscellaneous petition, if any, is closed.

E.Sundaresan

.. Counsel for Appellant

1.P.Kumar

2.United India Insurance Co. Ltd.,
Sillingi Building, New No.134,
Old No.40-45, Greams Road,
Chennai 600 006.

..Counsel for the 2nd Respondent

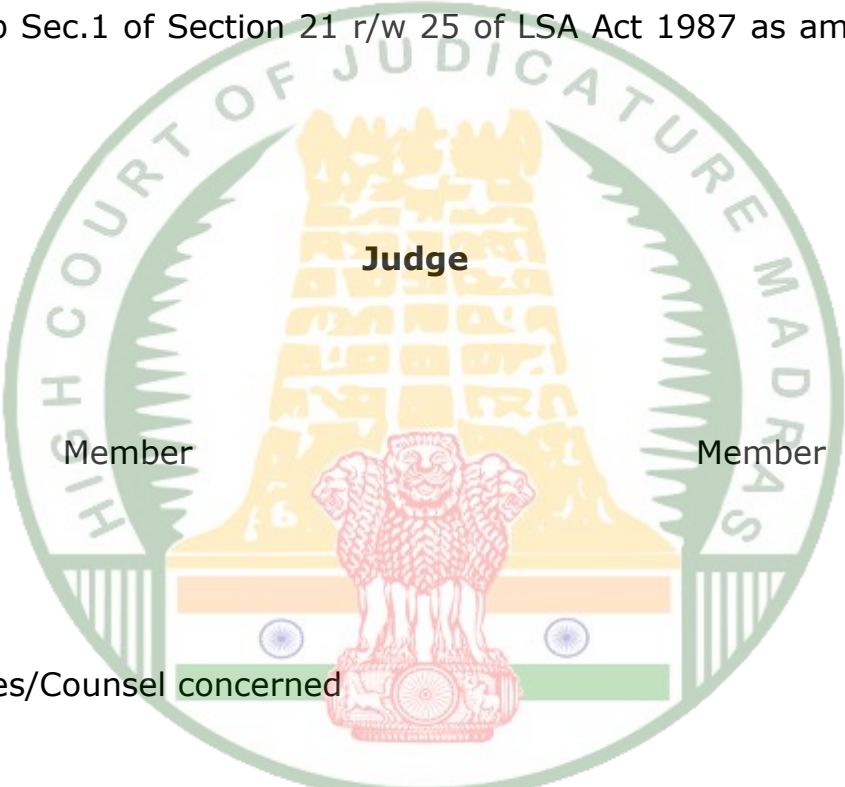
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7.This Lok Adalat award is passed in terms of the above settlement.

M.NIRMAL KUMAR.J,

klt/sai

8.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.

The seal of the High Court of Judicature Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital in front of it. The words 'HIGH COURT OF JUDICATURE MADRAS' are written in a green circle around the central image. Below the lion capital is a red and white striped banner with a blue wheel in the center. The word 'JUDGE' is written in bold black letters above the lion capital, and 'Member' is written on either side of the lion capital. The motto 'सत्यमेव जयते' (Satyameva Jayate) is written in Devanagari script below the lion capital. The words 'WEB COPY' are written in large, light grey letters across the bottom of the seal.

Judge

Member Member

To

The parties/Counsel concerned

Copy to

- 1.The Motors Accidents Claims Tribunal, IV 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.

C.M.A.No.302 of 2018

09.03.2019