

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 09th March 2019
NATIONAL LOK ADALAT AWARD

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

Presided over by

The Honourable Mr.JUSTICE SUBRAMONIUM PRASAD
and

Members:

Mr.K.Paramaraj, District Judge (Rtd.)

Mr.Pa.Kadirvel.

C.M.A.No.36 of 2018

(Appeal against the judgment and decree passed on 17.02.2016 in M.C.O.P.No.1331 of 2013 on the file of the learned Chief Judicial Magistrate Court, (Motor Accident Claims Tribunal), Tiruppur.

The United India Insurance Co. Ltd.,
C.G.Complex, 139, Kumaran Road,
Tiruppur.

... Appellant

Vs

1.V.Dineshkumar

2.P.Sendilkumar

(2nd Respondent set exparte before the Tribunal)

... Respondents

This case is not in the list and it is taken up for settlement before the National Lok Adalat since both the parties are present. Mr.D.Baskaran, learned counsel for appellant and Mr.K.Myilsamy, learned counsel for 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.9,89,000/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit as compensation causing grievous injury sustained by the respondent. Challenging the said award, the appellant/Insurance Company has preferred the present appeal.

2. Both the parties are present before us. In the National Lok Adalat, both parties have amicably settled and agreed to receive a sum of Rs.8,00,000/- (Rupees Eight Lakhs only) with interest @ 7.5% per annum.

3. The appellant / Insurance Company is directed to deposit the agreed amount of a sum of Rs.8,00,000/- (Rupees Eight Lakhs only) with interest @ 7.5% per annum. The Insurance Company has already deposited 50% of the amount before the Tribunal and the balance amount 50% shall be deposited within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the Respondent / Claimant is entitled to withdraw the entire amount and Award is passed accordingly.

5. The Tribunal is directed to transfer the amount through RTGS/NEFT to the parties concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

The United India Insurance Co. Ltd.,
C.G.Complex, 139, Kumaran Road,
Tiruppur.

Counsel for the appellant

V.Dineshkumar

Counsel for the respondent

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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.

Member

Judge

Member

To: The parties/Advocate concerned

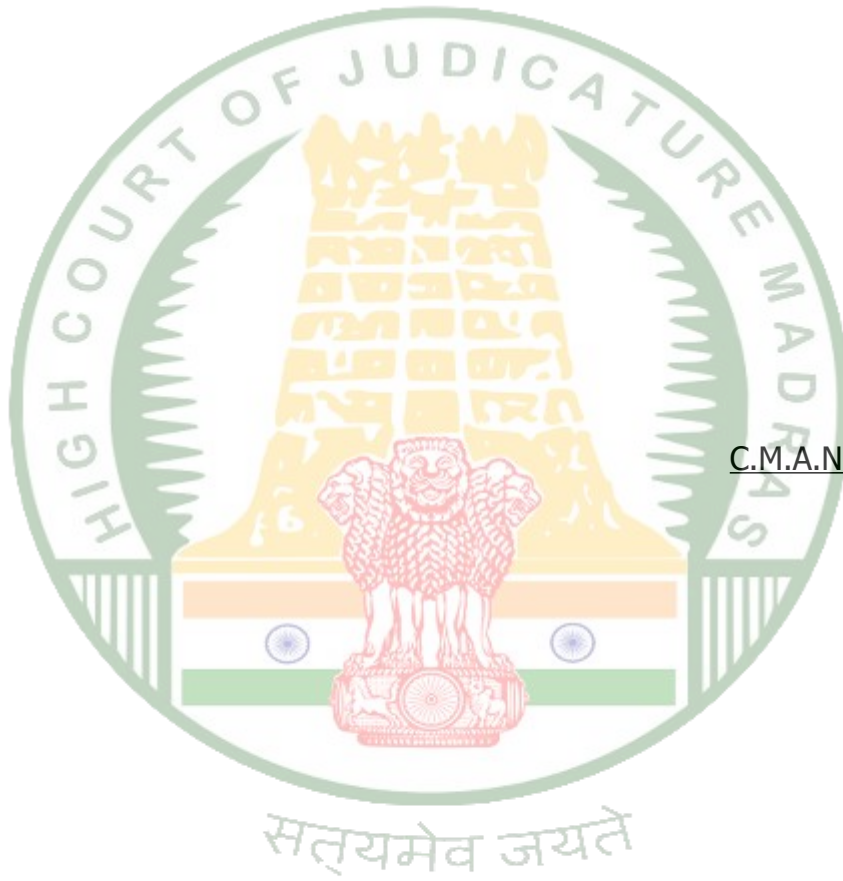
Copy to:

- 1 The Chief Judicial Magistrate Court, (Motor Accident Claims Tribunal), Tiruppur.
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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SUBRAMONIUM PRASAD, J.

mrn



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09.03.2019