

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 9th day of March, 2019

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE R.MAHADEVAN
and

Members

Mr. N.Ramachandran
Mr. N.Dhanasekaran

C.M.A. No. 407 of 2018

(Appeal against the award and decree passed on 05.06.2015 in M.C.O.P.No.34 of 2013 on the file of the Motor Accidents Claims Tribunal (Sub Court) Mannargudi.

The New India Assurance Co. Ltd.,
85/P1, Market Road,
Thanjavur Town and District,
Represented by its Branch Manager. ... Appellant/ Respondent-2

Vs.

1.Gopinath ...Respondent/Petitioner

2.Iyyappan ... Respondent/ Respondent-1
(R2 was set exparte before the Tribunal)

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mr.S.Manohar and the learned counsel for the respondent/claimant, Mr.SP.Yuvaraj 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.25,44,960/- with interest at 7.5 % per annum from the date of petition till the date of deposit as compensation. Aggrieved against the same, the appellant/Insurance company has preferred the present appeal.

2. Now, both the parties have agreed to modify the award amount for a sum of Rs.21,00,000/- with interest at 7.5% p.a. It is represented that the appellant insurance company has already deposited 50% of the award amount. Hence, the appellant Insurance Company is directed to deposit the compensation amount along with interest, after deducting the amount

R.MAHADEVAN, J.

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already deposited, 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 permitted to withdraw the entire compensation amount. The Award is passed accordingly.

3.The Tribunal is directed to transfer the said compensation amount to the first respondent/claimant, on proper identification through RTGS in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

The New India Assurance Co. Ltd.,
85/P1, Market Road,
Thanjavur Town and District,
Represented by its Branch Manager. ... Counsel for the Appellant

Gopinath ... Counsel for the 1st Respondent

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

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.

Judge

Member

Member

To

The parties/Advocate concerned

Copy to:

1. Motor Accidents Claims Tribunal (Sub Court) Mannargudi.
 - 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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