

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

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

Presided over by

The Hon'ble Mr. Justice S. VAIDYANATHAN
and

Members: Mrs.S.Jayakumari
Mr.P.Rosaiah

C.M.A.No.444 of 2018

Appeal against the award and decree passed on 28.07.2013 in M.C.O.P.No.108 of 2012 on the file of the Motor Accidents Claims Tribunal, Subordinate Judge, Tiruttani.

K.Arumugam

Vs.

.. Appellant

1.V.Ranganathan
2.The Manager

The United India Insurance Co. Ltd.,
Now the 2nd respondent having office at
No.134, Greems Road Silingi Buildings,
IV - Floor, Chennai 6.

...Respondents

Though this case is not listed today for settlement before the National Lok Adalat.

Mr.J.Saravanan, learned counsel for the Appellant is present. the M/s.Anand and Surya, learned counsel for the 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

This is a case of fatal. Challenging the award dated 28.07.2013 passed by the Subordinate Judge, Tiruttani in M.C.O.P.No.108 of 2012, the claimant has preferred the present appeal. It is represented by the claimant/appellant that the entire award amount has been deposited by the Insurance Company before the Tribunal and the said amount had already been withdrawn by the legal representatives of the deceased.

2. After negotiation, the award of the Tribunal is modified as follows:

(i) The Insurance Company has agreed to pay a sum of **Rs.2,00,000/- (Rupees Two Lakhs only)** as full quit over and above the amount awarded by the Tribunal. Since, the award amount had already been deposited by the Insurance Company, the enhanced amount now agreed is directed to be deposited within a period of four weeks from the date of receipt of a copy of this award and on such deposit the legal representatives of the deceased are entitled to withdraw the amount as apportioned by the Tribunal.

(ii) The Trial Court shall follow the procedures contemplated in the order dated 11.03.2016 passed by a Division Bench of this Court in C.M.A.No.428 of 2016, scrupulously.

The Civil Miscellaneous Appeal is disposed of accordingly.

K.Arumugam

.. Counsel for the Appellant

1.V.Ranganathan

2.The Manager

The United India Insurance Co. Ltd.,
Now the 2nd respondent having office at
No.134, Greems Road Silingi Buildings,
IV - Floor, Chennai 6.

... Counsel for the Respondents

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.

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Judge

Member

Member

To :

The parties/Advocate concerned

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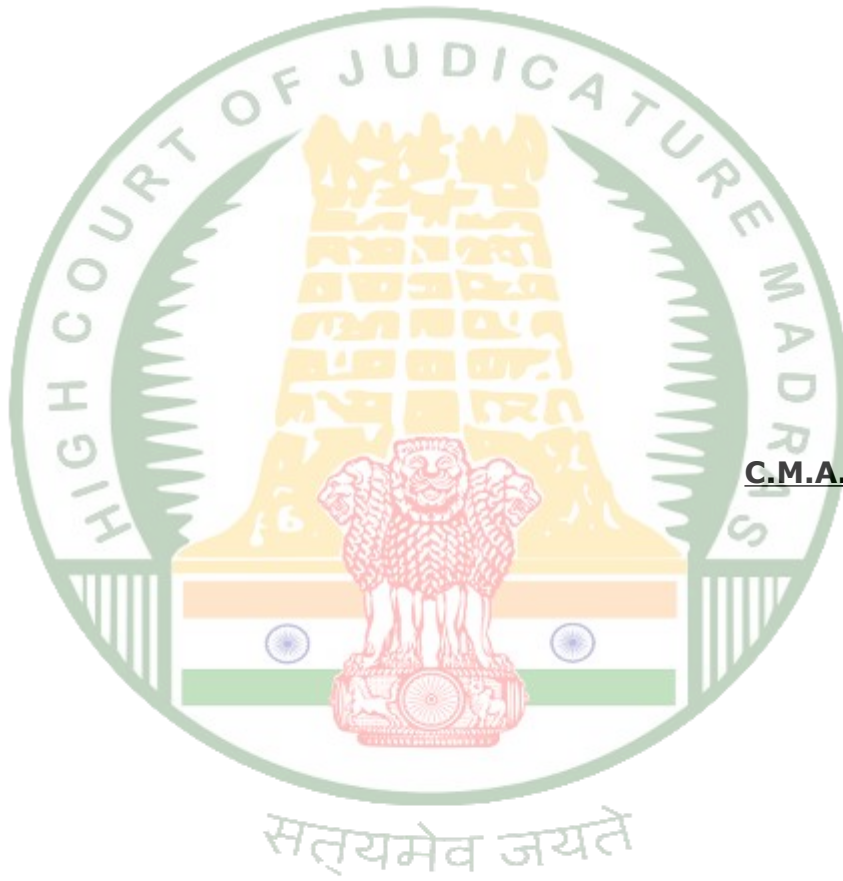
- 1.The Motor Accidents Claims Tribunal, Subordinate Judge, Tiruttani.
 - 2.The Secretary, High Court Legal Services Committee, Chennai.
 - 3.The Section Officer, V.R.Section, High Court, Madras.
 - 4.The Section Officer, Lok Adalat Section, High Court, Madras.
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S.VAIDYANATHAN,J.

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C.M.A.No.444 of 2018

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09.03.2019