

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th July 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 G.K.ILANTHIRAIYAN
and

Members

Mr.N.Sivathanu, District Judge (retd)
Mr.S.Arokiamaniraj

C.M.A.NO.471 OF 2018
and C.M.P.No.4249 of 2018

(Appeal against the judgment and decree passed on 11.07.2017 made in MCOP.No.2524 of 2011 on the file of the Motor Accidents Claims Tribunal (Special Subordinate Judge), Cuddalore.

The Divisional Manager,
National Insurance Co. Ltd
No.165, Nethaji Road
Manjakuppam Road,
Cuddalore.

.. Appellant

1.Minor M.Kesavaraj
rep.by his father and natural guardian R.Mannangatti

2.K.Lakshmikanthan
(R2 set exparte before the Tribunal)

.. Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.S.Arunkumar for Mr.J.Michael Visuvasam, learned counsel for appellant/Insurance Company and the first respondent/claimant 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.4,31,500/- with interest at the rate of 7.5% per annum as compensation to the first respondent/claimant. Challenging the same, the appellant/Insurance Company has preferred this appeal.

2.It is reported that the appellant/Insurance Company has already deposited the entire award amount with interest. After due deliberation and consultation, both the parties have agreed to modify the award amount in the following terms:

"The appellant /Insurance company shall withdraw a sum of Rs.2,50,000/- without interest, from and out of the deposit so made by them, and the remaining deposit amount along with accrued interest, shall be withdrawn by the respondent/claimant."

The award is modified accordingly.

3.Perusal of the records reveals that the respondent/claimant would have now attained majority. On such petition being taken, the Tribunal shall transfer the award amount to the savings bank account of the respondent/claimant through RTGS forthwith. Otherwise, the Tribunal shall invest the same in any one of the Nationalised Banks till the respondent/claimant attains majority and the interest accrued thereon shall be permitted to be withdrawn by his father once in three months, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

4. Accordingly, the Civil Miscellaneous Appeal is disposed of. No costs.
Consequently, connected civil miscellaneous petition is closed.

The Divisional Manager,
National Insurance Co. Ltd
No.165, Nethaji Road
Manjakuppam Road,
Cuddalore.

Counsel for the Appellant

Minor M.Kesavaraj
rep.by his father and natural guardian
R.Mannangatti

Counsel for the respondent/
claimant

This 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.

Judge

Member

Member

To: The parties/Advocate concerned

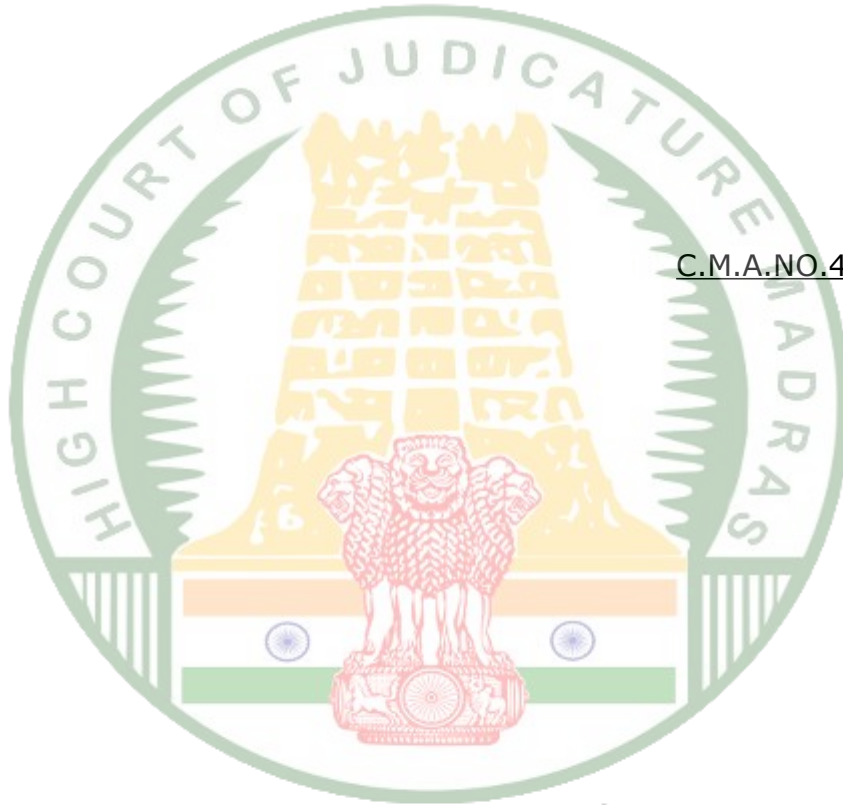
Copy to:

1. The Motor Accidents Claims Tribunal (Spl. Sub Court), Cuddalore.
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

G.K.ILANTHIRAIYAN, J.

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C.M.A.NO.471 OF 2018

सत्यमेव जयते

Dated : 13.07.2019

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