

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

Friday, the 04th day of October, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE S.MARIMUTHU (Retd.)

and

Member

Mr.R. Ramaraj

CMA.No.565 of 2018

Appeal against the Judgment and decree dated 18.08.2017 made in M.C.O.P.No.67 of 2013 on the file of the Motor Accidents Claims Tribunal, (Additional District Court), Namakkal.

Shriram General Insurance Co. Ltd.
No.10005, E-8, RIICO, Industrial Area,
Sitapura, Jaipur, Rajasthan State.Appellant

Vs.

1.Shek Mohammed S/o. Madarsha

2.Selladurai S/o. DhaneeswaranRespondents
(R2 is set ex-parte before the Tribunal)

This case has been listed today and came up for settlement before the Lok Adalat. Both parties are present. The learned counsel for the appellant, Mr.S.Dhakshnamoorthy, and Mr.Partheepan, Legal Executive, Shriram General Insurance Co. Ltd. are present. The learned counsel for the 1st Respondent, Mr.Ma.Pa. Thangavel along with parties is 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 appeal in CMA. No.565 of 2018 pending on the file of High Court, Madras and preferred against the award passed in MCOP.No. 67 of 2013 on the file of the Motor Accidents Claims

Tribunal, (Additional District Court), Namakkal, has been referred to Lok Adalat for conciliation today.

2. The Tribunal has awarded a sum of Rs.5,00,000/- with interest at 7.5% per annum from the date of petition till the date of deposit. Aggrieved by the award of the Tribunal, the appellant / Insurance Company has preferred the present appeal.

3. After due deliberation and consultation, both the parties have agreed to settle the matter for Rs. 5,00,000/- (Rupees Five Lacs Only) in full quit of the claim in the terms of pay and recovery.

4. The learned counsel for the Insurance Company has submitted that the entire award with interest of the Tribunal has been deposited before the Lower forum.

5. In view of the above, the 1st respondent is directed to withdraw the award amount without filing any petition. Further, the Insurance company is directed to withdraw the remaining deposited amount out of the award of Rs.5,00,000/- (Rupees Five Lacs Only) The Award is passed accordingly.

6. The Tribunal is directed to issue the amount through cheque / RTGS to the party 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 accordingly. Consequently, connected Miscellaneous Petition is closed, if any.

Sd/-
Shriram General Insurance Co. Ltd.
No.10005, E-8, RIICO, Industrial Area,
Sitapura, Jaipur, Rajasthan State.

Sd/-

...Counsel for the Appellant

Sd/-
Shek Mohammed S/o. Madarsha

Sd/-

...Counsel for the 1st Respondent

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.

Sd/-
Judge

Sd/-
Member

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

lbm

To:

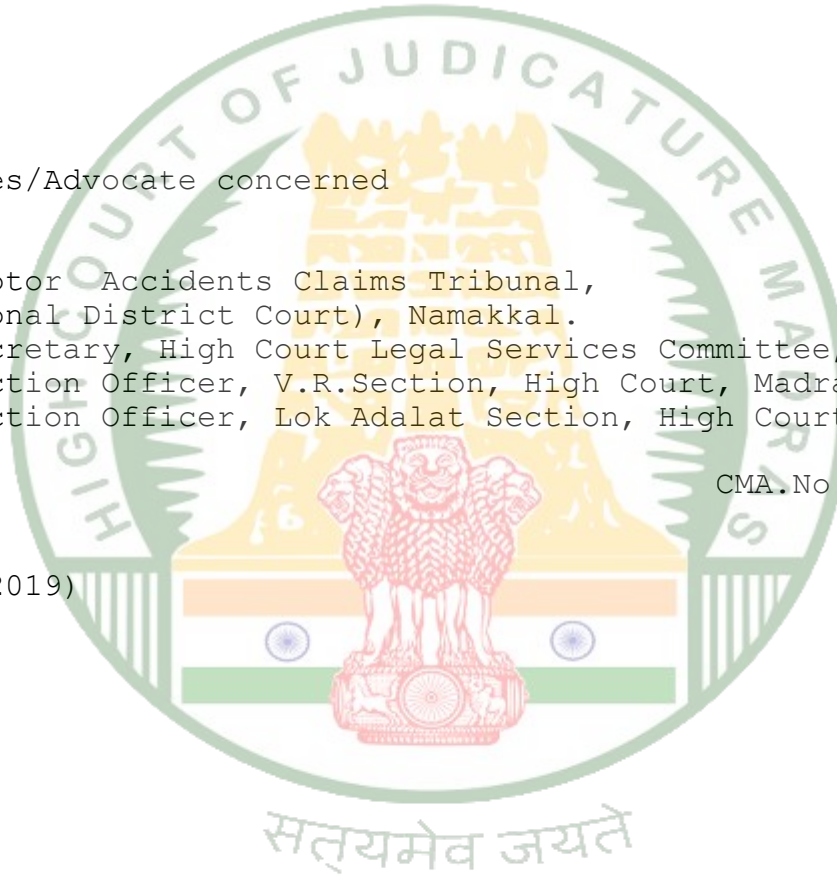
The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
(Additional District Court), Namakkal.
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.

CMA.No.565 of 2018

PM(CO)
CB(28/11/2019)



WEB COPY