

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.647 of 2018
and C.M.P.No.5813 of 2018

(Appeal against the judgment and decree dated 12.01.2017 in M.C.O.P.No.1741 of 2014 on the file of the Motor Accidents Claims Tribunal, Special Subordinate Court, Coimbatore.)

M/s.United India Insurance Company Limited,
Divisional Office-II,
Church Street, Pondicherry Road,
Karaikal Town.

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Appellant

Vs

1. Thilagavathi
2. Mallika
3. Anuradha
4. Sankariammal
5. Jayaraman
6. S.Senthil
7. J.Kamalakannan
8. ICICI Lombard General Insurance Company Limited,
NO.140, Nungambakkam High Road, Chennai.

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Respondents

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This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.T.Ravichandran, learned counsel for appellant is present and Mr.B.Gnavinothan for M/s.V.Nicholas, learned counsel for the respondents/claimants 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

Challenging the award of a sum of Rs.7,28,500/- as compensation for the death of one Bairavamoorthy, the insurance company has filed the instant Civil Miscellaneous Appeal.

2. Both the parties are present before us. After due deliberation and consultation, both the parties have agreed to settle the claim for a sum of Rs.5,50,000/- (Rupees Five lakh and fifty thousand only) with interest, at the rate of 7.5% p.a., and the same is awarded.

3. The learned counsel appearing for the insurance company informed this Court that 50% of the award amount stands deposited before the Tribunal.

4. The balance award amount shall be directed to deposit within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the parties are entitled to withdraw the same.

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. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

M/s.United India Insurance Company Limited,
Divisional Office-II,
Church Street, Pondicherry Road,
Karaikal Town.

Counsel for the appellant

1. Thilagavathi

2. Mallika

3. Anuradha
4. Sankariammal
5. Jayaraman
6. S.Senthil
7. J.Kamalakaran
8. ICICI Lombard General Insurance Company Limited,
NO.140, Nungambakkam High Road, Chennai.

Counsel for the respondents

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. Motor Accidents Claims Tribunal, Special Subordinate Court, Coimbatore.
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

SUBRAMONIUM PRASAD, J.

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09.03.2019