

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 09th 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 C. SARAVANAN
and

Members

Mrs.P.Kavitha Balakrishnan

Mr.Daniel Haridoss

C.M.A.No.648 OF 2018

[Appeal against the judgment and decree passed on 09.10.2017 in
M.C.O.P.No.3306 of 2015 on the file of the Motor Accidents Claims Tribunal
(Chief Judge) Chennai]

Royal Sundaram Alliance Insurance Co. Ltd.,
No.1, Club House Road,
2nd Floor, Anna Salai,
Chennai 600 002.

... Appellant

Vs.

1. Kannaki
2. Kalaiarasi
3. Tamilarasan
4. Anbu
5. Sigamani
6. Kalyanakumar
7. Rajkumar
8. Muralidaran

(8th respondent was set exparte before
the Tribunal)

..Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant Mr.G.Vasudevan and learned counsel for the respondents Mr.N.M.Elumalai 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.3,97,000/- with interest at 7.5% per annum from the date of numbering of the petition till the date of realisation.

It is represented by the learned counsel for the appellant that the entire award amount along with interest at 7.5% p.a. has already been deposited before the Tribunal.

2. Aggrieved over the award of the Tribunal, the appellant/Insurance Company has preferred the present appeal. Now, both the parties have agreed to modify the award to a sum of Rs.2,80,000/- (Rupees Two Lakhs eight thousand only) along with interest at the rate of 7.5% p.a. from the date of claim petition till the date of deposit.

3. Out of the deposited amount of Rs.2,80,000/- along with interest at the rate of 7.5% p.a. the respondents 1 to 7 are permitted to withdraw the above said amount as per the apportionment fixed by the Tribunal without filing any formal petition. The appellant/Insurance Company is entitled to withdraw the balance amount lying to the credit of the Tribunal.

4. The Tribunal is directed to issue the cheques 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 accordingly.

Royal Sundaram Alliance Insurance Co. Ltd.,
DB Plaza, 3rd Floor,
No.47, Whites Road,
Chennai 14.

Counsel for the Appellant

1. Kannaki

2. Kalaiaarasi

3. Tamilarasan

4. Anbu

5.Sigamani

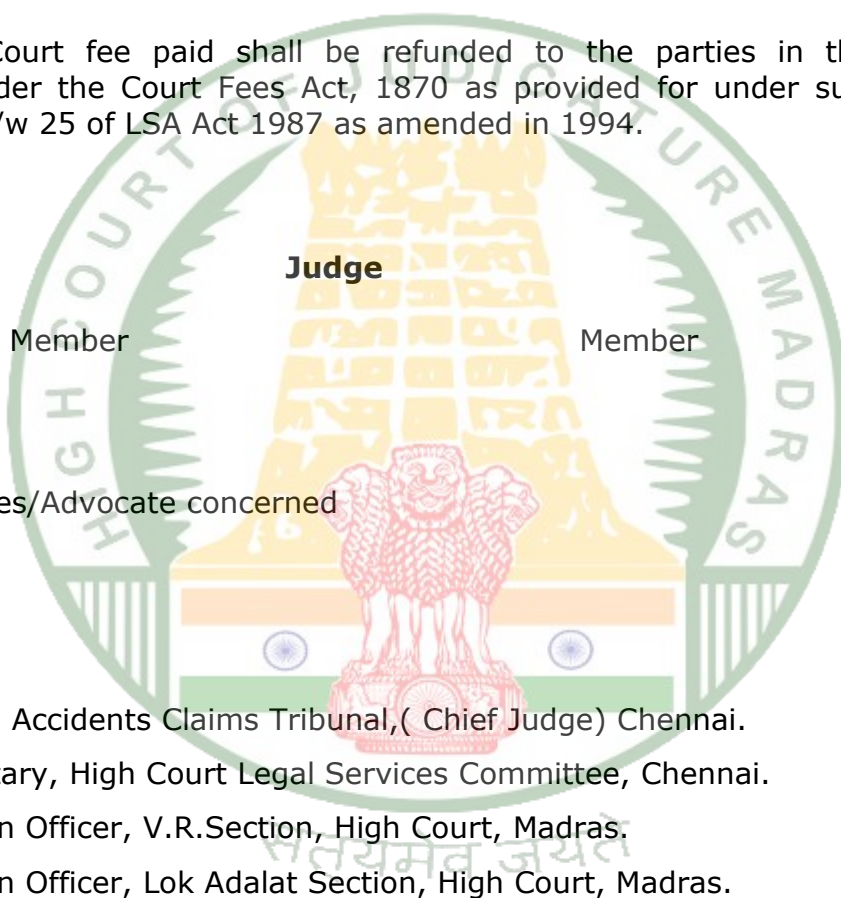
6.Kalyanakumar

7.Rajkumar

Counsel for the respondents 1 to 7

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.



To: The parties/Advocate concerned

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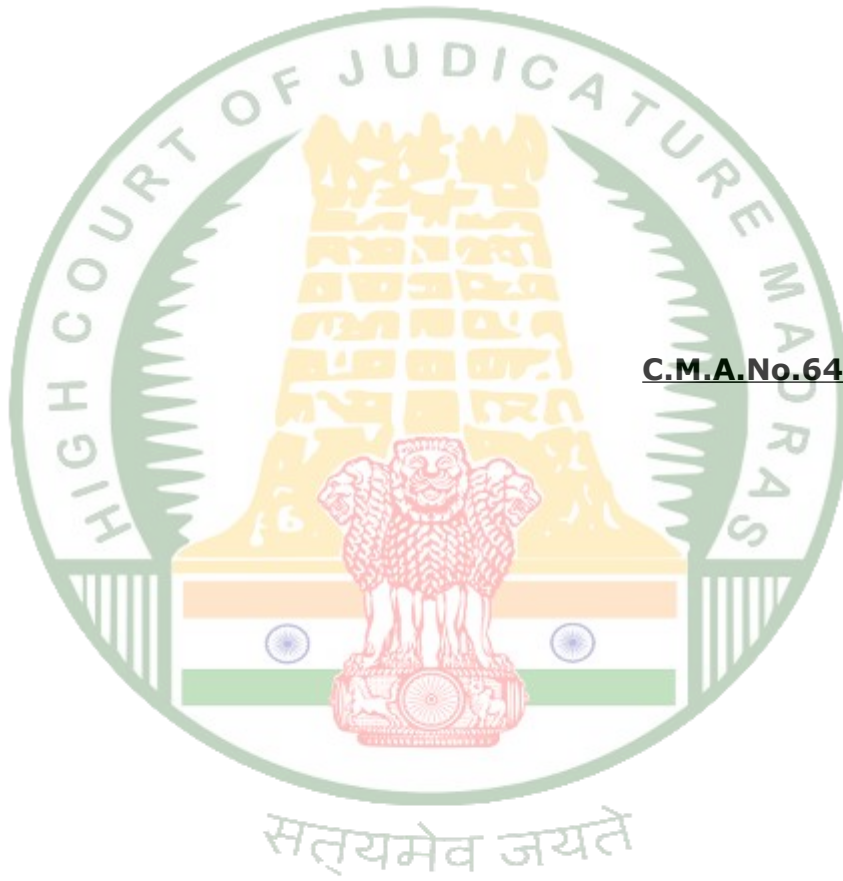
- 1.The Motor Accidents Claims Tribunal,(Chief Judge) Chennai.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.

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C.SARAVANAN., J.

kkd/vkr



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09.03.2019