

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 9th 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 M.DHANDAPANI
and

Members

Mr.N.Sivathanu
Mr.S.Arokiamaniraj

C.M.A.No.779 of 2018

(Appeal against the judgment and decree passed on 28.07.2017 made in M.C.O.P.No.169 of 2014 on the file of Motor Accident Claims Tribunal, Special Sub Court, Tiruvannamalai.)

The Divisional Manager
M/s.Reliance General Insurance Co. Ltd.,
Plot No.2054, 2nd Floor,
Rajis Tower, 2nd Avenue,
Anna Nagar, Chennai.

... Appellant

/versus/

1.Dhanalakshmi
2.Minor Latha
3.Minor Venkatesan
Minors rep. By their Guardian and
Next Friend Dhanalakshmi
4.Kanniammal
5.Shankar

... Respondents

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This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.M.B.Raghavan, learned counsel for appellant and Mr.A.Prakash, 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

The Tribunal has awarded a sum of Rs.17,27,000/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit. Aggrieved by the said compensation, the appellant/ Insurance Company has preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed to modify the award of the Tribunal to a sum of Rs.19,75,000/- (Rupees Nineteen Lakhs and Seventy Five Thousand Only) in full quit.

3. It is represented that the appellant Insurance Company has already deposited a sum of Rs.23,10,618/-. The respondents 1 to 4 / claimants are permitted to withdraw their respective share in the modified award amount along with the accrued interest. The first respondent is entitled to a sum of Rs.7 Lakhs, the second respondent is entitled to a sum of Rs.7 Lakhs, the third respondent is entitled to a sum of Rs.4 Lakhs and the fourth respondent is entitled to a sum of Rs.1,75,000/-. The shares of the minor claimants/ respondent 2 and 3 shall be deposited in any one of the Nationalized Bank, till they attain the age of majority. The appellant Insurance Company is permitted to withdraw the amount less the modified award amount along with accrued interest.

4. The Tribunal is directed to transfer the above said award amount to the Bank account of the respondent / claimant by way of NEFT / RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

5. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected civil miscellaneous petition, if any, is closed.

The Divisional Manager
M/s.Reliance General Insurance Co. Ltd.,
Plot No.2054, 2nd Floor,
Rajis Tower, 2nd Avenue,
Anna Nagar, Chennai.

Counsel for the Appellant

- 1.Dhanalakshmi
- 2.Minor Latha
- 3.Minor Venkatesan
- 4.Kanniammal

Counsel for the Respondents

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

M.DHANDAPANI,J.
pri

To:The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal,
Special Sub Court, Tiruvannamalai.
- 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



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09.03.2019