

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 (Retd.)

Mr.Pa.Kadirvel

C.M.A.No.892 of 2018 and CMP.No.7447 of 2018

Appeal against the Judgment and decree passed on 21.11.2017 in M.C.O.P.No.166 of 2016 on the file of the learned Additional District Judge (Motor Accident Claims Tribunal, Hosur, Krishnagiri District.

The Manager – Claims,
United India Insurance Co.Ltd.,
5 & 6 Appasamy Towers, Thiyagarya Road,
T.Nagar, Chennai.
C/o. Divisional Manager,
Unites India insurance co.Ltd.,
Durga Bhavani Square, Opposite Railway Station,
Denkanikottai Road, Hosur,
Krishnagiri District 635 109. .. Appellant

Vs.

- 1.Rathna
- 2.Minor.Swathi
- 3.Minor.Priya
- 4.Minor.Sabari

(Respondents 2 to 4 are represented by
N.F/Guardian, mother Rathna & 1st Respondent) .. 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 and Mr. Mukund R.Pandian learned counsel for 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.27,32,057/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit as compensation for the death of the deceased one Annamalai in the road accident on 25.12.2014. Challenging the said award, the appellant/Insurance Company has preferred the present appeal.

2. Both the parties are present before us. In the National Lok Adalat, both parties have amicably settled and agreed to receive a sum of Rs.25,00,000/-(Rupees Twenty Five Lakhs only) as full quit.

3. The appellant / Insurance company is directed to deposit the agreed amount of a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) less any amount deposited already within a period of four weeks from the date of receipt of copy of this order.

4. On such deposit, the 1st respondent / wife is entitled to withdraw an amount of Rs.16,00,000/- (Rupees Sixteen Lakhs only), 2nd to 4th respondents / children of the deceased are minors and their shares of each Rs.3,00,000/- (Rupees Three Lakhs only) shall be deposited in any one of the Nationalised banks in reinvestment scheme till he or she attains majority. Award is passed accordingly.

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 accordingly. Consequently, connected Miscellaneous Petition is also closed.

The Manager – Claims,
United India Insurance Co.Ltd.,
5 & 6 Appasamy Towers, Thiagarya Road,
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C/o. Divisional Manager,
Unites India insurance Co.Ltd.,
Durga Bhavani Square, Opposite Railway Station,
Denkanikottai Road, Hosur, Krishnagiri District 635 109.

Counsel for the appellant

1.Rathna

3.Minor.Priya

4.Minor.Sabari

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.



To:The parties/Advocate concerned

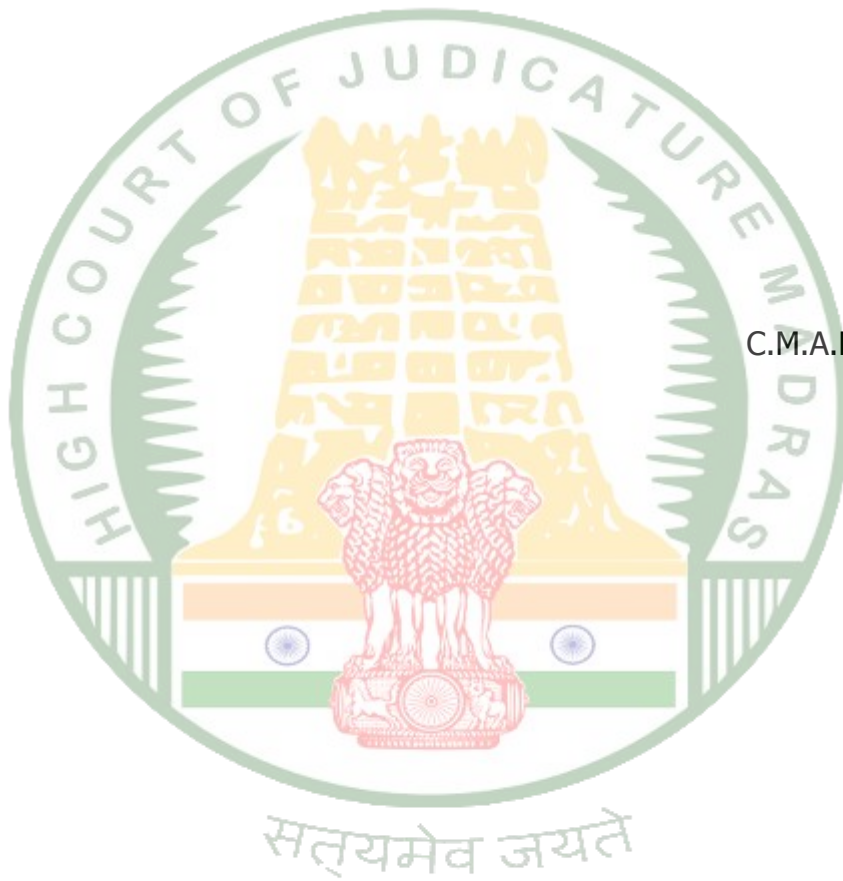
Copy to:

- 1.The Additional District Judge (Motor Accident Claims Tribunal, Hosur, Krishnagiri District.
- 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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SUBRAMONIUM PRASAD, J.

drl/asi



C.M.A.No.892 of 2018

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09.03.2019