

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th day of September 2019

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE N.SATHISH KUMAR
and

Members

Mr. P.T.Loganathan, District Judge (Retd.)
Mrs.K.M.Valsala Kumari

C.M.A.No.2793 of 2019

(Appeal against the Judgment and Decree dated 01.02.2019 passed in
M.A.C.T.O.P.No.557 of 2014 on the file of the Motor Accidents Claims Tribunal,
Sub Court, Puducherry.

The Divisional Manager,
Cholamandalam MS General Insurance Co. Ltd.,
2nd Floor, Dare House, NSC Bose Road,
Chennai. ... Appellant

Vs.

1.Mr.Sivaraman

2.Mr.Jayasankar

... Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.J.Michal Visuvasam, learned counsel for appellant / insurance company/ claimant and Mr.S.Youvaradjane, 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.13,71,314/- with interest at the rate of 7.5% per annum from the date of petition, viz., 23.06.2014 till the date

of deposit. Aggrieved by the award of the Tribunal, the appellant has preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to enhance the award to a sum of Rs.15,00,000/- (Rupees Fifteen lakhs only), full quit, over and above the award passed by the Tribunal.

3. The Appellant Insurance company is directed to deposit the above said enhanced award amount of Rs.15,00,000/- over and above the award passed by the tribunal as compensation within fifteen days from the date of receipt of a copy of this order. If any amount has already been deposited, the same shall be deducted. The respondents shall be permitted to withdraw the respective shares.

4. The Tribunal is directed to issue the cheque 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 if any, is closed.

The Divisional Manager,
Cholamandalam MS General Insurance Co. Ltd.,
2nd Floor, Dare House, NSC Bose Road,
Chennai.

Counsel for the appellant

1.Mr.Sivaraman

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

To: The parties/Advocate concerned

Copy to:

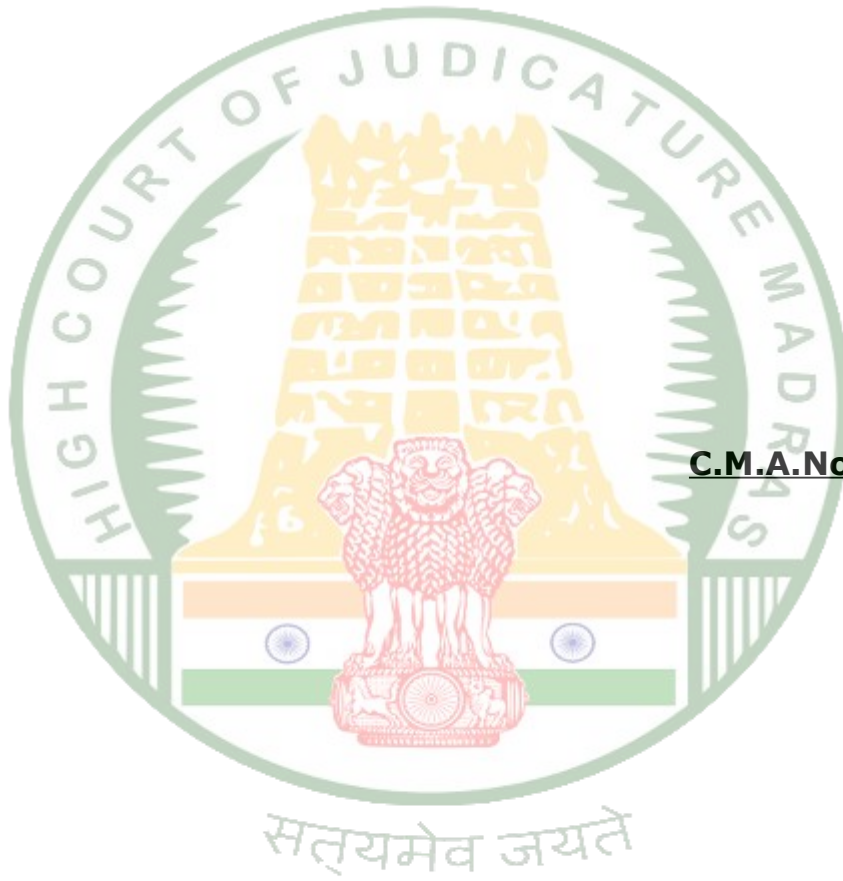
1. The Motor Accidents Claims Tribunal, Additional Sub-Court, Puducherry
2. The Secretary, High Court Legal Services Committee, Chennai.
3. The Section Officer, V.R. Section, High Court, Madras.
4. The Section Officer, Lok Adalat Section, High Court, Madras. + 2 copies



WEB COPY

N.SATHISH KUMAR, J.

vrc/dpq



C.M.A.No.2793 of 2019

WEB COPY

14.09.2019