

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 R.MAHADEVAN
and

Members

Mr. N.Ramachandran
Mr. N.Dhanasekaran

Civil Miscellaneous Appeal No.1208 of 2014
& connected CMPs

(Appeal against the award and decree passed on 03.09.2013 in M.C.O.P.No.877 of 2005 on the file of the Principal District Judge / Motor Accidents Claims Judge, Villupuram).

The Divisional Manager,
New India Assurance Company Limited,
Thiru-vi-ka Road, Villupuram

.. Appellant / claimant

Vs.

1. Jaya
2. Mannammai @ Mannangatti
3. Pandian
4. Vallal Pari

.. Respondents

Though this matter is not listed today before this forum, at request, this case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mr.J.Chandran, and the learned counsel for the respondents 2 to 4, Mrs.S.R.Sumathy 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.13,70,000/- with interest at 7.5% per annum from the date of petition till the date of deposit as compensation.

2. Aggrieved against the award of the Tribunal, the appellant / Insurance Company has preferred the present Appeal seeking reduction in the compensation awarded.

3. Now both parties have agreed to enhance the award for a sum of

Rs.15,00,000/- in full quit (inclusive of interest). The second respondent / Insurance Company is directed to deposit the said award amount, less the amount already deposited, if any, within a period of four weeks from the date of receipt of a copy of this award.

4. On such deposit being made by the second respondent / Insurance Company, the claimants / appellants are permitted to withdraw the compensation amount, as awarded by this forum, as per the ratio of apportionment made by the Claims Tribunal.

5. The Award is passed accordingly. The Tribunal is directed to transfer the said amount to the Savings Bank Accounts of the claimants / respondents, on proper identification, through RTGS, in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, the connected CMP, if any, is also disposed of.

The Divisional Manager,
New India Assurance Company Limited,
Thiru-vi-ka Road, Villupuram .. Counsel for the Appellant

1. Jaya

2. Mannammai @ Mannangatti

3. Pandian

4. Vallal Pari .. Counsel for the Respondents

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.

Judge

Member

Member

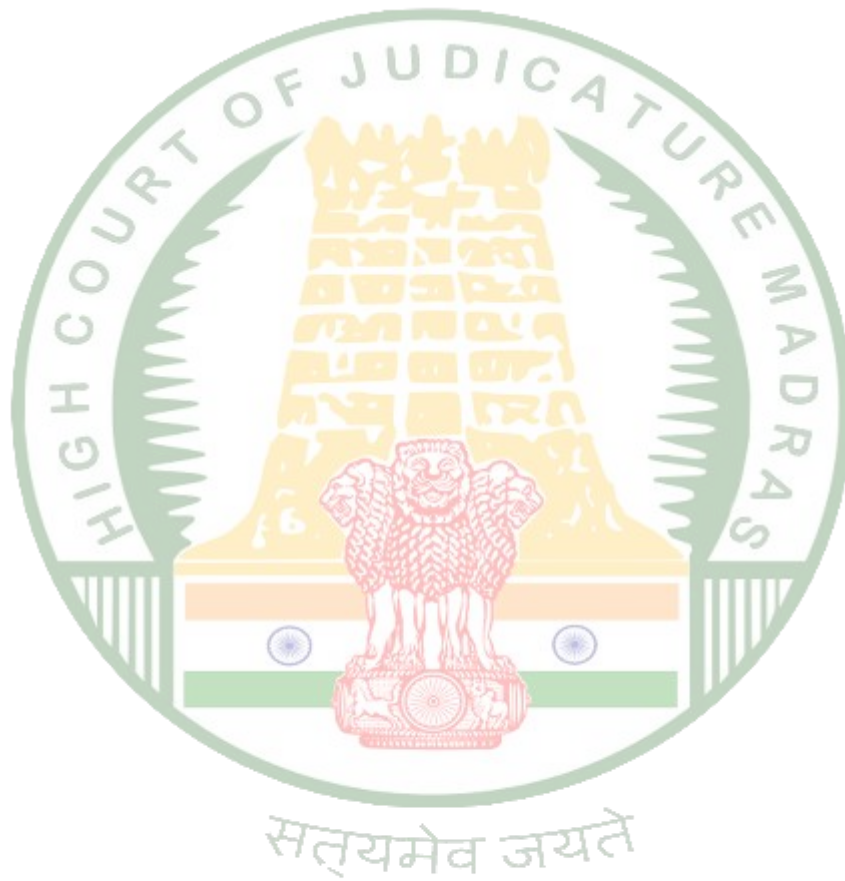
To

The parties/Advocate concerned

Copy to:

1. Principal District Court / Motor Accidents Claims Tribunal, Villupuram
- 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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R.MAHADEVAN, J.,

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C.M.A.No.1208 of 2014
& connected CMPs

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09.03.2019