

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 by

THE HON'BLE Mr. JUSTICE M.NIRMAL KUMAR

and

Members:

Mr.T. Sankara Narayanan Pillai
Mr.Tranqubar Dorai Vasu

C.M.A.No.150 of 2014

This Appeal is filed against the Judgment and Decree dated 26.09.2013 made in MACT.O.P.No.3 of 2010, on the file of the Chief Judge, Small Causes Court (Motor Accidents Claims Tribunal), Chennai.

1.E.Saroja
2.R.Elumalai
3.E.Malar Priya

...Appellants

Vs.

1.M/s.MRF Limited,
MRF Institute of Driver Development,
No.13, West End Street,
Gopalapuram, Chennai – 6.
[1st respondent remained ex-parte]

2.United India Insurance co. Limited,
No.58, Purasawakkam High Road,
Chennai – 7.

...Respondents

This case is taken up for settlement before the Lok Adalat.
Both the parties are present. The learned for the appellants

<http://www.judis.nic.in> Mr.R.Kalai Arasan and the learned counsel for the 2nd

respondent/appellant Mr.S.Arun Kumar 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 appellants have preferred the present appeal aggrieved against the Judgment and Decree dated 26.09.2013 made in MACT.O.P.No.3 of 2010, on the file of the Chief Judge, Small Causes Court (Motor Accidents Claims Tribunal), Chennai to enhance the compensation of Rs.6,88,000/- as awarded by the Lower Court to Rs.16,00,000/-.

2.It is represented by the insurance company that the insurance company had paid Rs.4,00,000/- with interest over and above the claimants have filed the present appeal. The claimants have already withdrawn the above said award amount and they filed the present appeal for enhancement of award amount Rs.9,12,000/-. It has been agreed by both the parties for a sum of Rs.4,00,000/- with interest at the rate of 7.5%.

3.The Insurance Company is directed to pay a sum of Rs.4,00,000/- with interest at the rate of 7.5% from the date of filing of the MACT.O.P.No.3 of 2010, within a period of six weeks from the date of receipt of a copy of this order and the claimant is permitted to withdraw the same, without filling any petition. Award is modified accordingly.

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

5.This Civil Miscellaneous Appeal is disposed of accordingly.

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.

1.E.Saroja
2.R.Elumalai
3.E.Malar Priya

... Counsel for the Appellants

United India Insurance Co. Ltd.,
No.58, Purasawakkam High Road,
Chennai – 7.

... Counsel for the 2nd Respondent

सत्यमेव जयते

Judge
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Member

Member

M.NIRMAL KUMAR.J,

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To

The parties/Counsel concerned

Copy to

- 1.The Motors Accidents Claims Tribunal,
In the Court of Small Causes, 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.



C.M.A.No.150 of 2014

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09.03.2019