

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

LOK ADALAT-I ORGANISED BY THE HIGH COURT LEGAL SERVICES COMMITTEE

WEDNESDAY, THE 20TH 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 P.THANGAVEL (RETD.)

AND

Members

- 1.Mr.C.R.Raghavan
- 2.Mr.R.Kanagasababathi

C.M.A.No.1877 of 2014

Appeal against the judgment and decree passed on 13.11.2013 made in M.C.O.P.No.5289 of 2011 on the file of the Motor Accidents Claims Tribunal (VI Small Causes Court, Chennai).

Metropolitan Transport Corporation Limited,
Rep. By its Managing Director,
No.12, Pallavan Salai, Chennai - 2.

.. Appellant/Respondent

Vs.

Devasundaram

.. Respondent/Petitioner

This case has been listed today and came up for settlement before the Lok Adalat. Learned counsel for the appellant Mr.S.V.Vasantha Kumar and Mrs.G.M.Bhavani for the Respondent and Mr.V.Krishnamurthy, Deputy Manager (Legal) for the Metropolitan Transport Corporation Limited are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

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TERMS OF SETTLEMENT

The appeal in CMA.No.1877 of 2014 pending on the file of High Court, Madras and preferred against the award passed in M.C.O.P.No.5289 of 2011 on the file of the VI Small Causes Court, Chennai has been referred to Lok Adalat for conciliation today.

2. The appellant / Metropolitan Transport Corporation Limited represented by its Managing Director, Chennai assisted by Deputy Manager Mr.V.Krishnamurthy (Legal) and the Respondent herein who is the petitioner before the Trial Court assisted by counsel Mrs.G.M.Bhavani are present before Lok Adalat for conciliation today. This is a case of Motor Accident causing grievous injury to the respondent herein. After considering the material placed before the Trial Court, the said court was pleased to award a sum of Rs.3,43,000/- with interest at 7.5% per annum from the date of petition till the date of deposit and with cost as compensation to the respondent herein / Petitioner. Aggrieved at the award passed by the Trial Court, the appellant / Transport Corporation has come forward with this appeal.

3. After great deliberation and discussion both parties have compromised the disputed claim at Rs.2,80,000/- towards full quit of the claim. Admittedly, a sum of Rs.25,000/- alone was deposited before the competent Court by the Transport Corporation and agreed to deposit the balance amount within a period of eight weeks from the date of receipt of copy of this award.

4. In view of the compromise arrived at between both the parties, the Lok Adalat hereby declare and decree that the appellant / Transport Corporation shall pay a sum of Rs.2,80,000/- towards full quit of the claim to the Respondent herein. Since the appellant / Transport Corporation has already deposited only a sum of Rs.25,000/- before the competent Court, the Transport Corporation is directed to deposit the balance compromised amount herein within a period of eight weeks from the date of receipt of copy of this award before the competent court.

5. On deposit of the balance amount before the competent court, the respondent herein is permitted to withdraw the entire compromised amount from the competent court without filing any formal petition. No order as to costs. Award is passed accordingly.

6. The Tribunal is directed to issue the amount through cheque / RTGS 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.

Sd/-

Metropolitan Transport Corporation Limited,
Rep. By its Managing Director,
No.12, Pallavan Salai, Chennai - 2.

Sd/-

Counsel for the Appellant

Sd/-
Devasundaram S. Bharath Prakash

Sd/-
Counsel for the Respondent

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.

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar (L.A.)

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
VI Small Causes Court, 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. +2 copies

C.M.A.No.1877 of 2014

SS (CO)
CS/17/05/2019