

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th July 2019

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE G.K.ILANTHIRAIYAN

and

Members

Mr.N.Sivathanu, District Judge (retd)

Mr.S.Arokiamaniraj

C.M.A.NO.1932 OF 2014

(Appeal against the judgment and decree passed on 04.09.2013 made in MCOP.No.5996 of 2012 on the file of the Motor Accidents Claims Tribunal, II Court of Small Causes, Chennai.

1.Gomathi

2.M.Kirubanandam

... Appellants

/versus/

1.J.Basheer Ahamed & Co.

2.National Insurance Co. Ltd
751, Anna Salai, 3rd Floor,
Chennai - 2.

.. Respondents

(R1 set exparte before the Tribunal)

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.K.Varadha Kamaraj, learned counsel for appellants and Mr.S.Arunkumar, learned counsel for the second respondent/insurance company 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.17,15,000/- with interest at the rate of 7.5% per annum as compensation to the appellants/claimants, who are

the legal heirs of the deceased K.Vinodh Kumar. Being not satisfied with the same, the claimants have preferred this appeal seeking enhancement.

2.After due deliberation and consultation, both the parties have agreed to enhance the award amount to a sum of Rs.4,00,000/- in full quit, over and above the compensation awarded by the Tribunal and the same is hereby, awarded. The appellants are entitled to receive the same in equal proportion. The award is enhanced accordingly.

3.In view of the above modification, the second respondent/Insurance Company is directed to deposit the entire compensation amount, less the amount already deposited, if any, within a period of six weeks from the date of receipt of a copy of this order. On such deposit being made, the Tribunal shall transfer the respective shares to the savings bank account of the appellants/claimants through RTGS forthwith, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

4.Accordingly, the Civil Miscellaneous Appeal is disposed of. No costs.

1.Gomathi

2.M.Kirubanandam

National Insurance Co. Ltd
751, Anna Salai, 3rd Floor,
Chennai - 2.

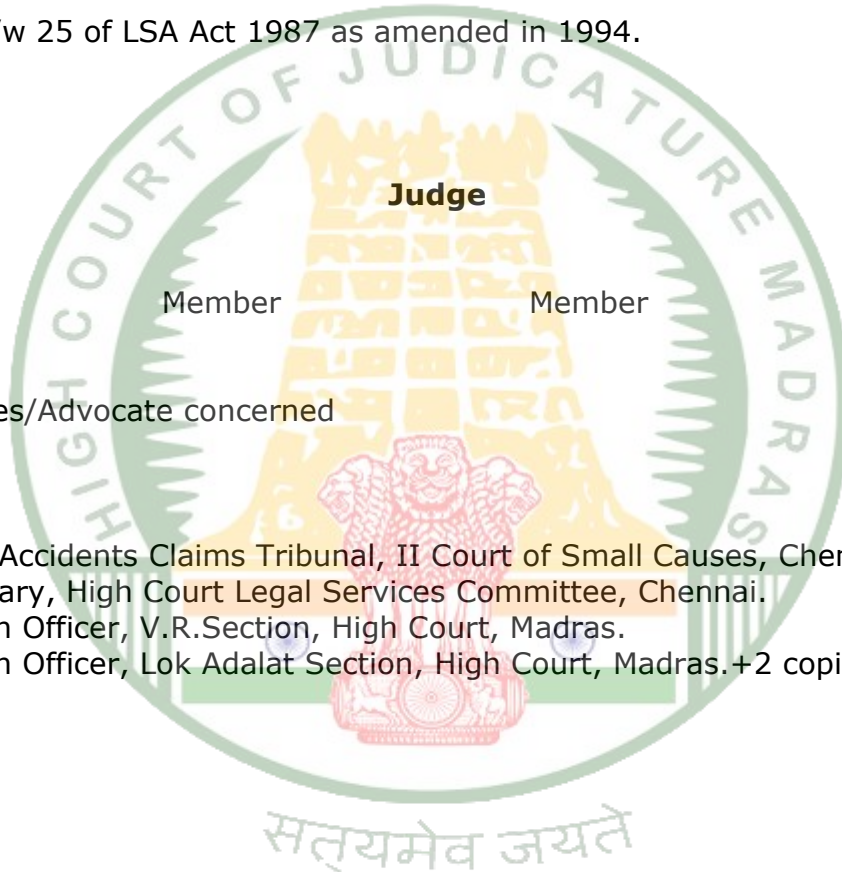
Counsel for the Appellants

Counsel for 2nd respondent

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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.



To: The parties/Advocate concerned

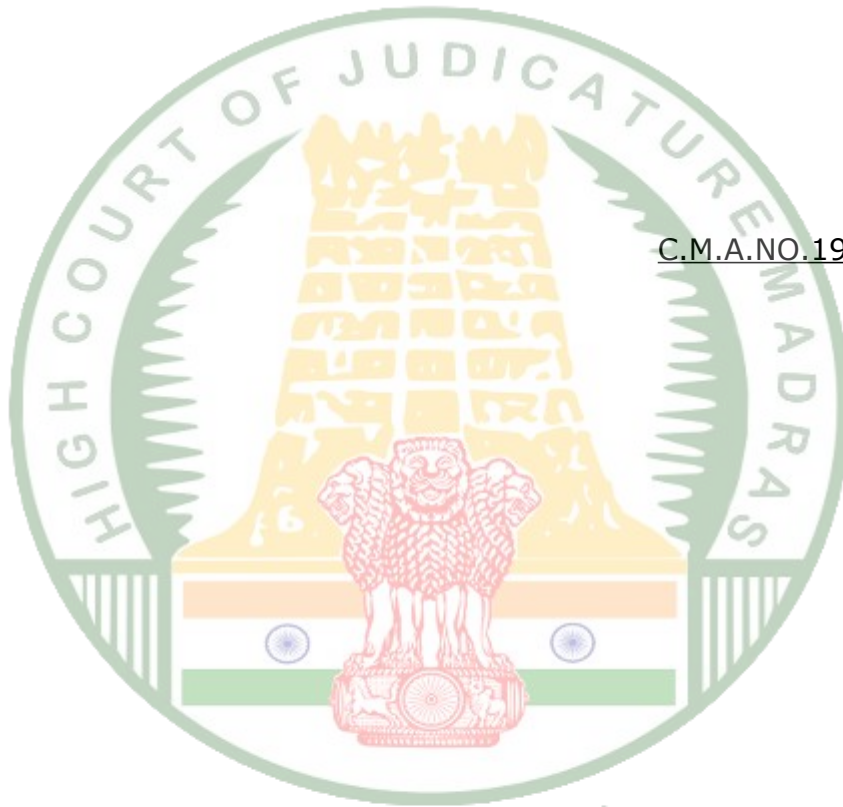
Copy to:

1. The Motor Accidents Claims Tribunal, II 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. +2 copies

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G.K.ILANTHIRAIYAN, J.

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C.M.A.NO.1932 OF 2014

Dated : 13.07.2019

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