

**HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI**

National Lok Adalat organised by the High Court Legal Services Committee  
Saturday, the 13th day of July, 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

Mr.M.Sambasivam (District Judge Retd.)

Mr.A.Kothandaraman.

**C.M.A.No.2091 of 2014**

(This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1989, to set aside the Judgment and Decree dated 06.01.2014 in M.C.O.P.No.149 of 2009 on the file of Motor Accidents Claims Tribunal, Sub-Ordinate Court Judge, Tambaram, Kancheepuram District.

B.Sathish Kumar

... Appellant

Vs.

1.V.S.Mani

2.The United India Insurance Co Ltd.,  
No.826, Anna Salai, VII Floor,  
Tarpore Towers, Chennai - 2 and now having  
MTPCO - Hub, at 4th Floor, Silingi Building,  
No.134, Grems Road, Chennai - 600 006.

(1st respondent set exparte before the Tribunal)

...Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. Mr.N.Manoharan, learned counsel appearing for the appellant and Mr.D.Baskaran, learned counsel appearing for the second

respondent are present.

### **TERMS OF SETTLEMENT**

The appeal in C.M.A No.2091 of 2014 pending on the file of the High Court of Madras and preferred against the award passed in M.C.O.P.No.149 of 2009 on the file on the file of Motor Accidents Claims Tribunal, Sub-Ordinate Court Judge, Tambaram, Kancheepuram District has been referred to Lok Adalat for conciliation today.

2. The claimant/petitioner, who is the appellant herein, assisted by the counsel and the learned counsel Mr.D.Baskaran assisting the second respondent/United India Insurance Co., Ltd., are present before the Lok Adalat for conciliation today. This is a case of motor accident causing injury to the appellant/petitioner. The Tribunal has passed an award for a sum of Rs.3,50,000/-(Rupees Three Lakhs Fifty Thousand only) with interest at 7.5 % per annum from the date of petition till the date of the deposit. After great deliberation and discussion, both the parties have compromised the disputed claim at Rs.1,60,000/- (Rupees One Lakhs sixty thousand only) in full quit in addition to the award already passed by the Tribunal. The second respondent/Insurance Company has agreed to deposit the enhanced compensation amount mentioned above within six weeks from the date of receipt

of a copy this award.

3. In view of the compromise arrived at between both the parties, the Lok Adalat hereby declare and decree that the appellant/insurance company shall pay a sum of Rs.1,60,000/-(Rupees One Lakhs sixty thousand only) in full quit in addition to the award already passed by the Tribunal within a period of six weeks from the date of receipt of a copy of this award. On such deposit of the entire amount, the appellant/petitioner is permitted to withdraw the entire compromised amount from the Tribunal without filing any formal petition. No order as to costs.

B.Sathish Kumar

Counsel for the Appellant

V.S.Mani

The United India Insurance Co Ltd.,  
No.826, Anna Salai, VII Floor,  
Tarpore Towers, Chennai - 2 and now having  
MTPCO - Hub, at 4th Floor, Silingi Building,  
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Counsel for the Respondents

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 the LSA Act 1987 as amended in 1994.

**Judge**

Member

Member

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, (I Additional Sub Judge), at Cuddalore
2. The Divisional Manager, United India Insurance Co Ltd., Cuddalore.
3. The Secretary, High Court Legal Services Committee, Chennai.
4. The Section Officer, V.R. Section, High Court, Madras.
5. The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies

ay/ssm

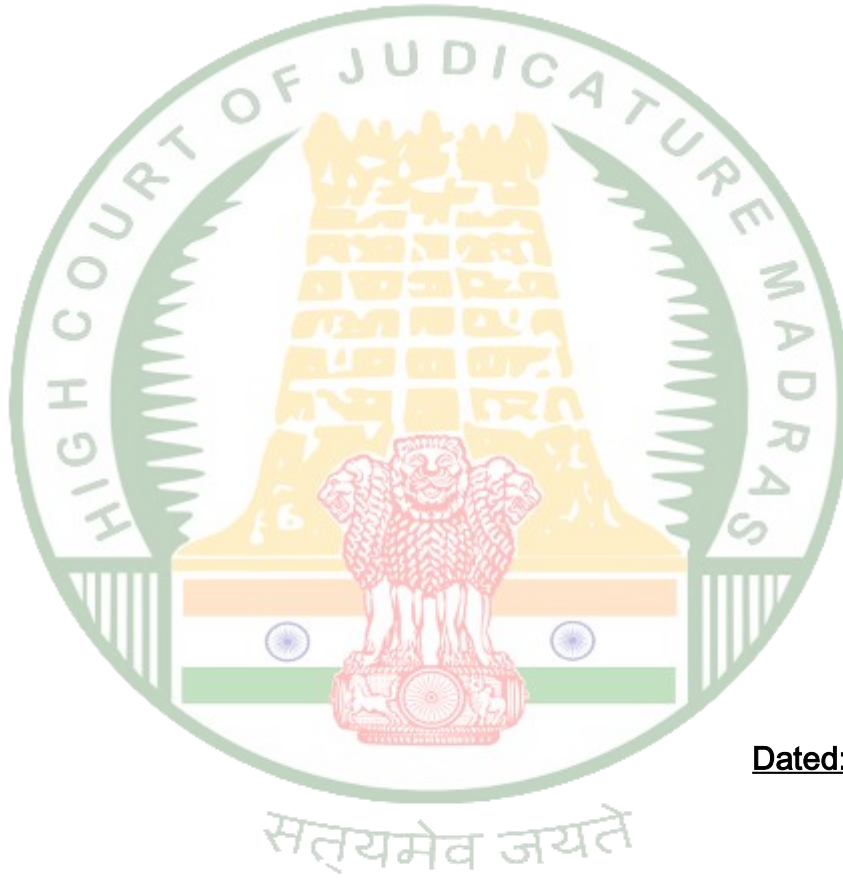
**P.THANGAVEL, J.(Retd.)**

ay/ssm

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C.M.A.No.2091 of 2014



Dated:13.07.2019

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