

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th November 2019

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Honourable Mr.JUSTICE MALAISUBRAMANIAN (Retd.)
and

Members:

Mrs.Rajalakshmi
Mr.Kalaimani

C.M.A.No.2198 of 2014

(Appeal against the Judgment and decree passed on 19.06.2013, in M.C.O.P.No.142 of 2007 on the file of the Motor Accidents Claims Tribunal, Sub Court, Madurantagam, for enhancement of compensation.)

Revathi

... Appellant

Vs

1.A.Ameerudeen
2.M/s.Bajaj Allianz General Insurance Company Limited,
No.25/26, Prince Towers, IVth Floor,
College Road,
Nungambakkan,
Chennai - 600 006.

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.K.Govi Ganesan, learned counsel for appellant is present and Mr.M.B.Raghavan, learned counsel for the second respondent 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.61,000/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit and costs as compensation, for the injury sustained by Revathi. Challenging the said award, the appellant/claimant has preferred the present appeal for enhancement of the compensation.

2. Both the parties are present before us. After due deliberation and consultation, both the parties have agreed to settle the claim for a sum of Rs.1,50,000/- (Rupees One lakh and Fifty Thousand only) over and above the amount awarded by the Tribunal.

3. The second respondent/Insurance Company is directed to deposit the entire award amount within a period of eight weeks from the date of receipt of a copy of this order after deducting the amount already deposited if any.

4. On such deposit, the appellant/claimant is permitted to withdraw the entire award amount without filing any formal petition. The amount is settled and the award is passed accordingly.

5. The Tribunal is directed to issue the cheque/RTGS to the party 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.

Revathi

Counsel for the Appellant

1. A. Ameerudeen
2. M/s. Bajaj Allianz General Insurance Company Limited,
No.25/26, Prince Towers, IVth Floor,
College Road,
Nungambakkam,
Chennai - 600 006.

Counsel for the respondents

This National 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.

Member

Judge

Member

To: The parties/Advocate concerned
Copy to:

1. The Motor Accidents Claims Tribunal, Sub Court, Madurantagam.
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

सत्यमेव जयते

WEB COPY

Mr.JUSTICE MALAISUBRAMANIAN (Retd.)
lbm/dua



C.M.A.No.2198 of 2014

WEB COPY

14.09.2019