

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.2581 OF 2014

(Appeal against the judgment and decree passed on 04.12.2013 made in MCOP.No.379 of 2010 on the file of the Motor Accidents Claims Tribunal, II Court of Small Causes, Chennai.

M.Ajeem

Appellant

/versus/

1.S.Venkataraman

2.National Insurance Co. Ltd

Division Office -1,
No.66, Greams Road,
Chennai – 6.

Respondents

(R1 set exparte before the Tribunal)

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.A.Shanmugaraj, learned counsel for appellant 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.40,000/- with interest at the rate of 7.5% per annum as compensation to the appellant/claimant for the injuries

sustained by him in the motor vehicle accident. Being not satisfied with the same, the claimant has preferred this appeal seeking enhancement.

2. After due deliberation and consultation, both the parties have agreed to modify the award amount to a sum of Rs.75,000/- in full quit, over and above the compensation awarded by the Tribunal and the same is hereby, awarded. 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 same to the savings bank account of the appellant/claimant 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.

M.Ajeem

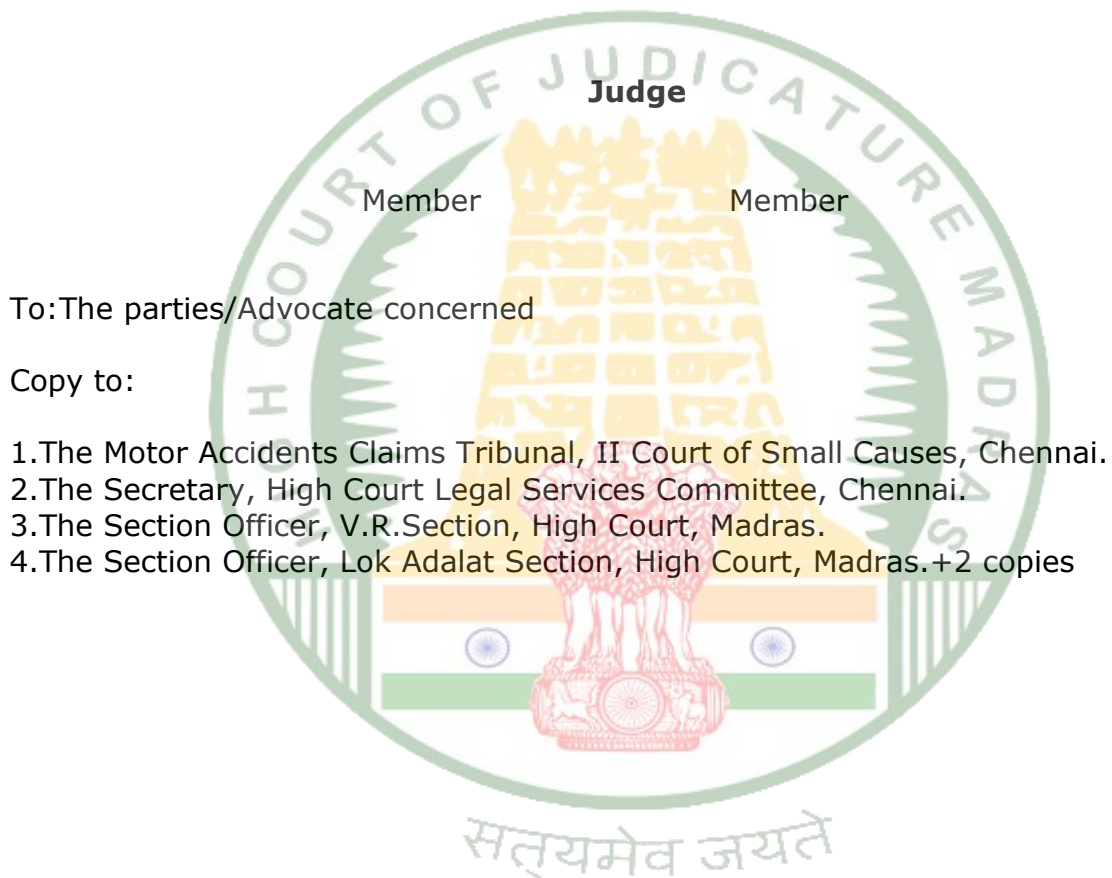
Counsel for the Appellant

National Insurance Co. Ltd
Division Office -1,
No.66, Greaves Road,
Chennai – 6.

Counsel for 2nd respondent

This Lok Adalat award is passed in terms of the above settlement.

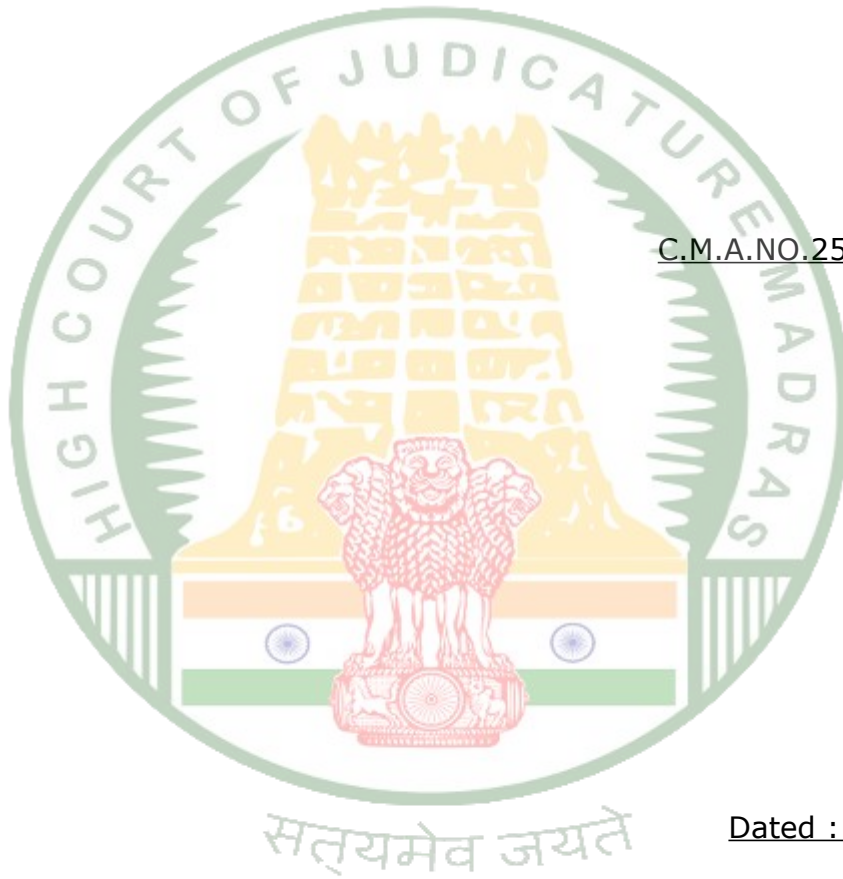
The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.



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G.K.ILANTHIRAIYAN, J.

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C.M.A.NO.2581 OF 2014

Dated : 13.07.2019

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