

**HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI**

National Lok Adalat organised by the High Court Legal Services  
Committee

Saturday, the 13<sup>th</sup> 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 R.SUBRAMANIAN**

and

Members

Mr.A.Manivasakan, District Judge (Retd.),

Mr.Tranquebar Dorai Vasu

**C.R.P.No.2935 of 2014**

**and**

**MP.No.1 of 2014**

(This Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the decree and judgement dated 24.11.2012 made in M.C.O.P.No.274 of 2008 on the file of the Motor Accident Claims Tribunal, Chief Judicial Magistrate, Salem.

The Managing Director

Tamil Nadu State Transport Corporation Limited

No.12, Ramakrishna Road,  
Salem-7.

... Petitioner

सत्यमेव जयते  
Vs.

1. Periyammal  
W/o.Appugounder

2. Siva Bakkiam  
W/o.K.P.Natarajan

3. National Insurance Company Limited  
Divisional Office-II, Balaji Tower  
Ramakrishna Road, Salem-7.

4. Union of India  
Represented by its Secretary to Government of India  
New Delhi.

5. The Secretary to Transport Department  
Government of Tamil Nadu  
Fort St.George, Chennai-9.
  6. The Chairman  
National Highways Authority of India  
New Delhi.
  7. National Highways Authority of India  
Rep. by the Regional Manager,  
South India, Chennai.
  8. The Secretary to Government  
Department of Revenue  
Ministry of Finance  
Government of India, New Delhi. ...Respondents/Respondents
- \* R4 & R5 suo-moto impleaded as per order of this Court dated 08.07.2015 made in CMA.No.1350 of 2015 etc., batch.
- \* R6 & R7 suo-moto impleaded as per order of this Court dated 05.08.2015 made in CMA.Nos.1350 of 2015 etc., batch.
- \* R8 suo-moto impleaded as per order of this Court dated 26.07.2017 made in CMA.Nos.1350 of 2015 etc., batch.

This case came up for settlement before the National Lok Adalat. Both the parties are present. Mr.D.Venkatachalam, learned counsel appearing for the petitioner and Mr.J.Chandran, learned counsel appearing for the third respondent/Insurance Company.

### **TERMS OF SETTLEMENT**

This Civil Revision Petition is directed against the common award of MACT, Salem dated 24.11.2012. The only question in dispute is the apportionment of liability between the Insurance Company and the Transport Corporation. The Tribunal had apportioned the liability at 50%, each.

2. After negotiation, the Transport Corporation as well as the Insurance Company had agreed to modify the award in respect of the apportionment of liability alone. As per the agreement reached between the Insurance Company and Transport Corporation, the Insurance Company has agreed to pay 55% of the compensation awarded and the Transport Corporation has agreed to pay the remaining 45% of the compensation awarded.

3. The Insurance Company shall deposit the additional liability that it will incur in view of the modification of award within a period of four weeks from the date of receipt of a copy of the order. The Transport Corporation also shall deposit the amount due and payable by it within a period of four weeks from the date of receipt of a copy of the order. On such deposit, the claimants are permitted to withdraw the entire compensation.

4. The Civil Revision Petition is disposed of, accordingly. Connected Miscellaneous petition is closed, if any.

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

The Court fee paid shall be refunded to the appellant in the manner provided under 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.

**Judge**  
 Member                      Member

The Managing Director  
 Tamil Nadu State Transport Corporation Limited  
 No.12, Ramakrishna Road,  
 Salem-7.

Counsel for the Petitioner

**R.SUBRAMANIAN, J.**

mk/jv

National Insurance Company Limited  
Divisional Office-II, Balaji Tower  
Ramakrishna Road,  
Salem-7.

Counsel for the third respondent

To:  
The parties/Advocate concerned

Copy to:

1. The Chief Judicial Magistrate, Salem. (Motor Accidents Claims Tribunal)
2. The National Insurance Company Limited, Divisional Office-II, Balaji Tower, Ramakrishna Road, Salem-7.
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

**C.R.P.No.2935 of 2014**

सत्यमेव जयते

WEB COPY

**13.07.2019**