

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th day of 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 J.A.K.SAMPATHKUMAR (Retd.)
and

Members

Mr.Thanikasalam
Mr.B.Radhakrishnan

C.M.A.No.3111 of 2014

(Appeal against the judgment and decree dated 01.03.2014 made in
M.C.O.P.No.209 of 2011 on the file of the Motor Accidents Claims Tribunal,
Sub Court, Hosur)

The Branch Manager,
Oriental Insurance Company Limited,
Micro Office, 81-C, 1st Floor,
K.R.C. Complex, Chennai Salai,
Krishanagiri 635 109. .. Appellant

1. Manikandan
2. K.Mohan - (ex-parte before the tribunal) .. Respondents

सत्यमेव जयते

This case is not listed today. By consent of both parties, this case is taken up for settlement. Mr.S.Manohar, counsel for the appellant and Mr.Prasanna for Mr.Mukund R.Pandian, Counsel for the first 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.8,42,100/- with interest at 7.5% per annum from the date of petition till the date of realization and costs as compensation. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal. It is informed that the Insurance Company has deposited the entire award amount, interest and costs before the Tribunal.

2. After due deliberation and consultation, both the parties have agreed to the effect that the award has been modified to the extent that the claimant / first respondent is willing to forgo a sum of Rs.1,25,000/- out of the award amount already deposited.

3. In such view of the fact that the Insurance Company / appellant is entitled to withdraw a sum of Rs.1,25,000/- in full quit and the claimant / first respondent is entitled to withdraw the balance amount lying in the court deposit as compensation. Award is passed accordingly.

4. The Tribunal is directed to transfer the amount through RTGS/NEFT 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. The connected miscellaneous petition is closed if any.

The Branch Manager,
Oriental Insurance Company Limited,
Micro Office, 81-C, 1st Floor,
K.R.C. Complex, Chennai Salai,
Krishanagiri 635 109.

Counsel for the Appellant

Manikandan

Counsel for the first 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.

Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

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

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J.A.K.SAMPATHKUMAR, J. (Retd.)

adl



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13.07.2019

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