

NATIONAL LOK ADALAT

Organised by the High Court Legal Services Committee

Saturday, the 09th day of March, 2019**LOK ADALAT AWARD**

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

Presided by

THE HON'BLE Mr. JUSTICE M.NIRMAL KUMAR

and

Members:

Mr.Sankaranarayanan Pillai.T

Mr.Tanquebar Dorai Vasu

C.M.A.No.3199 of 2014 & MP.No.1 of 2014

(With the consent of the parties, it is taken up for settlement.

The Appeal is filed against the judgment and decree dated 16.06.2014 passed in M.C.O.P.No.3 of 2013 on the file of the Motor Accidents Claims Tribunal, (in the II Court of Small Causes), Chennai).

United India Insurance Company Limited,
Motor Third Party Hubb,
4th floor, Silinghi Buildings,
No.134, Greams Road, Thousand Lights,
Chennai - 6.

...Appellant

Vs.

1.K.Rajalakshmi

2.L.T.Kuppuswamy

[R2 died, a memo filed, order dt.16.07.2018
made in CMA.3199 of 2014]

3.V.T.Selvam (remained exparte)

...Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant Mr.S.Arunkumar is present. The learned counsel for the respondents 1

& 2 Mr.Kalai Arasan for Mr.N.M.Muthurajan is present and officials of Insurance company are also 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.10,39,000/- with interest at 7.5% p.a. from the date of numbering the claim petition i.e., 02.01.2013, till the date of deposit as compensation.

2. Aggrieved by the award of the Tribunal, the Appellant has preferred the present appeal. The amount awarded by the Tribunal has already been deposited by the Insurance Company, in which, the respondents/claimants withdrawn a sum of Rs.4,00,000/-.

3. By way of compromise, the appellant/insurance company agrees that the claimants shall be entitled to a further sum of Rs.4,50,000/- (Rupees Four lakh and fifty thousand only) along with proportionate interest from the amount so deposited, and the appellant/Insurance company shall withdraw the remainder and the same is agreed by both sides.

4. Since, the second respondent/claimant is died, the first respondent/Rajalakshmi is entitled to withdraw the entire amount of Rs.4,50,000/- (Rupees Four lakh and fifty thousand only) with

proportionate interest, within a period of six weeks from the date of receipt of a copy of this award, to the credit of M.C.O.P.No.3 of 2013 before the concerned Tribunal. Award is modified accordingly.

5. The Tribunal is directed to transfer the above said modified award amount to the individual bank account of the appellant by way of NEFT/RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

6. The Civil Miscellaneous Appeal is disposed of accordingly. Connected miscellaneous petition, if any, is closed.

United India Insurance Company Limited,
Motor Third Party Hubb,
4th floor, Silinghi Buildings,
No.134, Greams Road, Thousand Lights,
Chennai - 6.

.. Counsel for Appellant

1.K.Rajalakshmi

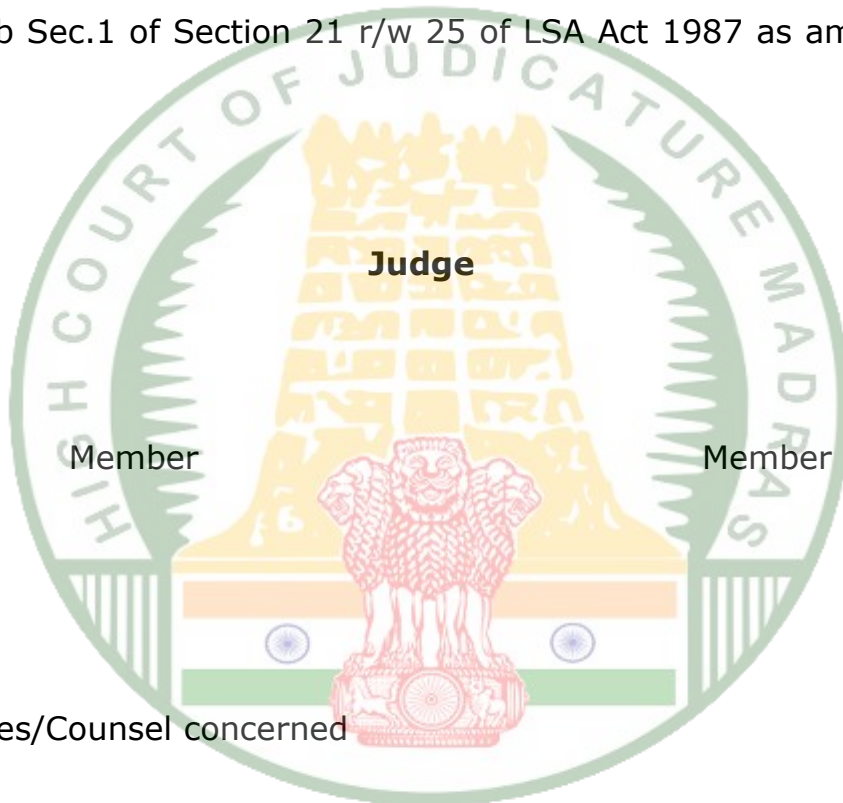
..Counsel for the Respondent

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

M.NIRMAL KUMAR.J,

klt/sai

8.The Court fee paid shall be refunded to the parties 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.



To

The parties/Counsel concerned
Copy to

- 1.The Motors Accidents Claims Tribunal, II Court of Small Causes), Chennai.
- 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.

C.M.A.No.3199 of 2014

09.03.2019