

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 9th March, 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

Members:-

- (1) Mrs.M.Rajalakshmi, District Judge & Additional District Judge (RE-1) (Retd.)
(2) Mrs.Sudharshana Sunder, Advocate

CMA.No.696 of 2014

(Civil Miscellaneous Appeal against the award and decree passed, **dated** 31.10.2011 in **MACT.OP.No.145 of 2011**, on the file of the Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Erode

National Insurance Company Limited,
Having its City Branch No.1,
Coimbatore-1

Appellant(s)

Vs.

1.R.Rangaraj
2.S.Sri Manigandan
3.The Correspondent,
M/s.Amrita Institute of Technology and Science,
Ettimadai, Coimbatore-1

Respondent(s)

This case came up for settlement before the National Lok Adalat. Both the parties are present. **Ms.N.B.Surekha**, the learned counsel for the Appellant and Mr.N.Premalatha for Mr.R.Nalliyappan, the learned counsel for the first respondent are present. After mutual discussion, negotiation, mediation and conciliation between both the parties, they arrived at a compromise to settle the matter as follows:-

TERMS OF SETTLEMENT

This Appeal has been filed as against the impugned award **dated** 31.10.2011 in **MACT.OP.No.145 of 2011**, on the file of the Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Erode

2.The Quantum of Compensation awarded by the Tribunal is **Rs.3,17,400/-** with interest at 9% per annum from the date of petition till the date of deposit of compensation.

3.Being not satisfied with the award passed by the Tribunal, the Insurance Company has preferred the present appeal. After due deliberation and consultation, both the parties have **agreed** to modify the award to a sum of **Rs.2,90,000/-** and also the cost as awarded by the tribunal. The respondents are also entitled the interest at the rate of 7.5% from the date of petition till the deposit.

4. The learned counsel for the appellant submitted that the entire award amount has already been deposited in **MACT.OP.No.145 of 2011**. The first respondent is permitted to withdraw the said modified amount.

5. Therefore the appellant / Insurance Company is permitted to withdraw the excess amount, if any already deposited, after disbursement of the amount to the claimant in the above said manner. Award is passed accordingly.

6. The Tribunal is directed to disburse the award amount to the claimants' Savings Bank Account, through RTGS/NEFT, on proper identification of the account of the claimants in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, the connected miscellaneous petition, if any, is closed.

National Insurance Company Limited,
Having its City Branch No.1,
Coimbatore-1

Counsel for the Appellant(s)

1.R.Rangaraj
2.S.Sri Manigandan
3.The Correspondent,
M/s.Amrita Institute of Technology and Science,
Ettimadai, Coimbatore-1

Counsel for the Respondents

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

MEMBER

MEMBER

To: The Parties/Advocates concerned.
Copy to:

- 1.The Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Erode
- 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

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09.03.2019