

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
NATIONAL LOKADALAT 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.SAMPATH KUMAR (Retd.)

and

Members

Mr.Thanikasalam, District Judge (Retd.,)
Mr.B.Radha Krishnan Advocate

C.M.A.No.96 of 2014

(Appeal against the Judgment and Decree dated 03.12.2012
MACT.OP.No.4831 of 2007, on the file of the Chief Small Causes Court, (Motor
Accidents Claims Tribunal) Chennai.

R.Nagapooshanam

.. Appellant

Vs.

1. S.Kumaravelu

2. Bajaj Allianz General Insurance Co. Ltd.,
Bhagwathi Palace, 2nd Floor, J-Block, No.13,
3rd Avenue, Anna Nagar East,
Chennai – 600102.

.. Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. The learned counsel for the appellant Mr.R.Kalai Arasan and the learned counsel for the 2nd respondent Mr.S.Manohar 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.5,56,500/- with interest at 7.5% per annum from the date of petition till the date of deposit and as compensation against the Bajaj Allianz General Insurance Co. Ltd.,. It is informed that the entire award amount has been withdrawn by the claimant/appellant, deposited by the Insurance Company.

2. Not satisfied with the award of the Tribunal, the appellant / claimant has preferred the present appeal for enhancement. Now, both the parties have agreed for a sum of Rs.4,50,000/- (Rupees Four Lakhs Fifty Thousand only) in full quit as compensation over and above the award amount of the Lower Court.

3. The respondent/Insurance Company is directed to deposit the above said enhanced award amount of Rs.4,50,000/- (Rupees Four Lakhs Fifty Thousand only) in full quit, within a period of four weeks from the date of receipt of a copy of this order.

4. On such deposit, the appellant/claimant viz., R.Nagapooshanam is permitted to withdraw the entire award amount, without filing any formal petition. The Award is passed accordingly.

5. The Tribunal is directed to transfer the amount through RTGS/NEFT to the parties 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. Consequently, connected miscellaneous petition is closed if any.

R.Nagapooshanam

Counsel for the Appellant

Bajaj Allianz General Insurance Co. Ltd.,
Bhagwathi Palace, 2nd Floor, J-Block, No.13,
3rd Avenue, Anna Nagar East,
Chennai – 600102.

Counsel for the 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.



To: The parties/Advocate concerned

Copy to:

1. Motor Accidents Claims Tribunal, Chief Small Causes Court, 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. +2 copies

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

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