

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th day of December, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE M.DHANDAPANI

and

Members

Mr.Pa.Kadirvel

Mr.Ravinder Bose

C.M.A.No.3688 of 2019

(Appeal against the judgment and decree dated 01.04.2019 made in
M.C.O.P.No.54 of 2018 on the file of the Motor Accident Claims Tribunal,
Principal Sub Judge, Myiladudurai.)

The Managing Director,
Tamil Nadu State Transport Corporation
Division No.1,
Kumbakonam Taluk & Post.

... Appellant

/versus/

1. Sathiya
2. Minor.Sankavi D/o Senthil
(Minor represented by her mother and guardian)
3. Thangarasu
4. Savithri

... Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.Venkatachalam.D, learned counsel for appellant and Mr.T.Gopinath, learned counsel for the respondents 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.17,94,000/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit. Aggrieved by the said award of compensation, the appellant/Transport Corporation has preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed to modify the award of the Tribunal to a sum of Rs.18,00,000/- (Rupees Eighteen Lakhs) in full quit.

3. The appellant Transport Corporation is directed to deposit the modified award amount arrived at today, less the amount already deposited, if any. The appellant shall deposit the balance amount, within a period of twelve weeks, from the date of receipt of a copy of this order, to the credit of M.C.O.P.No.54 of 2018 on the file of the Motor Accident Claims Tribunal, Principal Sub Judge, Myiladudurai, failing which, the appellant shall deposit the modified award amount with simple interest at the rate of 6%.

4. On such deposit being made, the respondents 1 to 4 / claimants are permitted to withdraw their respective share of modified award amount. The first respondent is entitled to a sum of Rs.6 Lakhs, the second respondent (minor) is entitled to a sum of Rs.8 Lakhs, the third respondent is entitled to a sum of Rs.2 Lakhs and the fourth respondent is entitled to a sum of Rs.2 Lakhs. The shares of the minor claimant/respondent 2 shall be deposited in any one of the Nationalized Bank, till they attain the age of

majority. The mother of the minor claimant is entitled to withdraw the accrued interest once in three months.

5. The Tribunal is directed to transfer the above said award amount to the Bank account of the respondents / petitioners 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. Consequently, connected civil miscellaneous petition, if any, is closed.

The Managing Director,
Tamil Nadu State Transport Corporation
Division No.1,
Kumbakonam Taluk & Post.

Counsel for the Appellant

1. Sathiya

2. Minor.Sankavi D/o Senthil
(Minor represented by her mother and guardian)

3. Thangarasu

4. Savithri

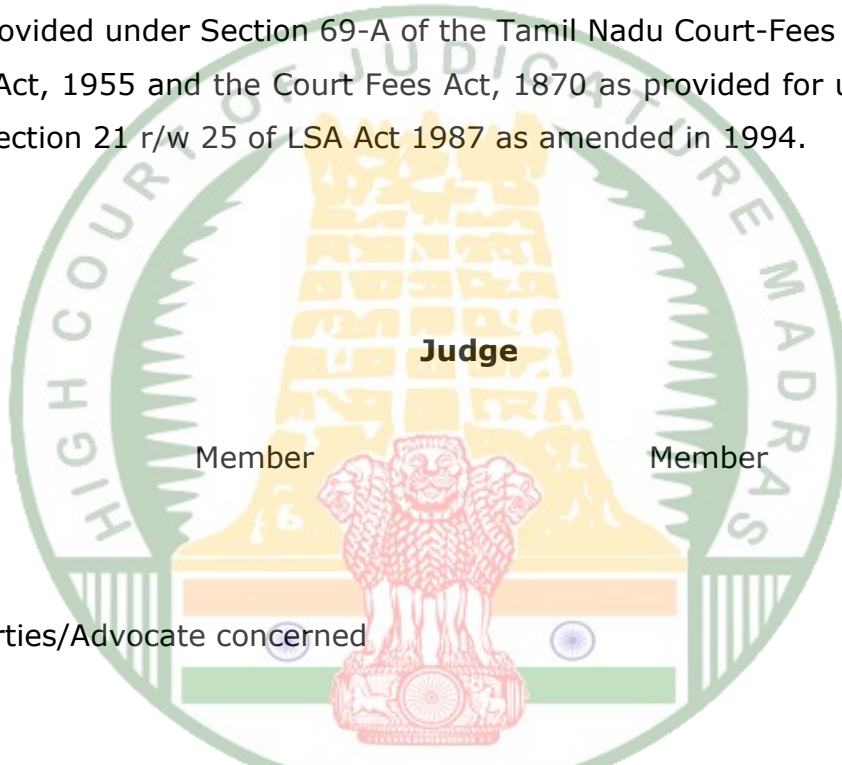
Counsel for the Respondents

M.DHANDAPANI,J.

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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. The Motor Accident Claims Tribunal, Principal Sub Judge, Myiladudurai
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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14.12.2019