

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 C. SARAVANAN**

and

Members

Mrs.Revathi G.Mohan

Mr.M.Sambasivam

**C.M.A.No.4470 OF 2019**

[Appeal against the judgment and decree passed on 24.09.2018 in MCOP.No.142 of 2014 on the file of the Motor Accidents Claims Tribunal, Additional District Judge, Chengalpattu, Kancheepuram District.

1. Jayalakshmi

2. Minor Bharathi

3. Minor Rohith

4. Sarasu @ Saraswathi

(Minor appellants 2 & 3 are represented by mother and natural guardian 1st appellant Jayalakshmi)

... Appellants

Vs.

1. N.Krishnan

2. M/s.New India Assurance Co.Ltd.,  
Motor Third Party Claims Office,  
No.16, GST Road, Chengalpattu,  
Kancheepuram District.

(No relief sought against the 1st respondent.

Hence notice may be dispense with).

... Respondents

Though this case is not listed before this forum settlement, it is taken up for hearing at the instance of the learned counsel for the appellants. Both the parties are present. The learned counsel for the appellants Mr. C.Prabakaran and learned counsel for the 2<sup>nd</sup> respondent / Insurance Company, Mrs. Sreevidhya 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.12,04,000/- with interest at 7.5% per annum from the date of petition till the date of deposit. It is represented by the learned counsel for the second respondent that the amount has already been deposited before the Tribunal.

2. Not satisfied with the award of the Tribunal, the claimants / appellant s have preferred the present appeal for enhancement. Now, both the parties have agreed to settle the dispute on payment of Rs.5,00,000/- (Rupees Five Lakhs only) in full quits over and above the amount already awarded by the Tribunal.

3. The 2<sup>nd</sup> respondent/Insurance Company is directed to deposit the enhanced award amount of Rs.5,00,000/- (Rupees Five Lakhs only) in full quits (inclusive of interest), within a period of four weeks from the date of receipt of a copy of this order, failing which, it shall pay interest at the rate of 7.5% per annum from this date till the date of deposit. Out of Rs.5,00,000/- the 1st appellant/claimant is entitled to withdraw a sum of Rs.1,50,000/- and 4th appellant is entitled to withdraw a sum of Rs.1,00,000/- and minor appellants 2 and 3 are entitled to withdraw a sum of Rs.1,25,000/- each. The share of minor appellants 2 and 3 are directed to be deposited in anyone of the nationalised banks till their attain majority. On attaining the age of majority, the appellants/claimants 2 and 3 are permitted to withdraw their respective shares on production of age proof certificate before the Tribunal. On such deposit, the claimant/ first appellant is permitted to withdraw the enhanced award amount without filing any formal petition in respect of her share. The Award is passed accordingly.

4.The Tribunal is directed to issue the cheque 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. Consequently, connected Miscellaneous Petitions are closed, if any.

1. Jayalakshmi
2. Minor Bharathi
3. Minor Rohith
4. Sarasu @ Saraswathi

Counsel for the Appellants

M/s.New India Assurance Co.Ltd.,  
Motor Third Party Claims Office,  
No.16, GST Road, Chengalpattu,  
Kancheepuram District.

Counsel for the 2<sup>nd</sup> respondent

This 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.

**Judge**

Member

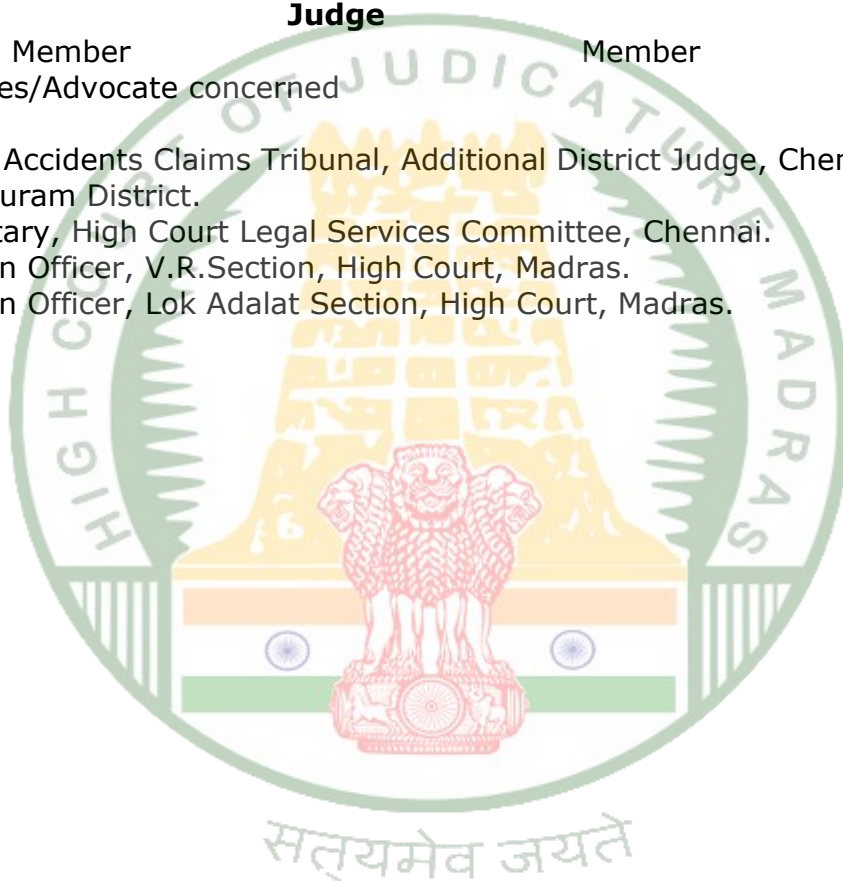
Member

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, Additional District Judge, Chengalpattu, Kancheepuram District.
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.

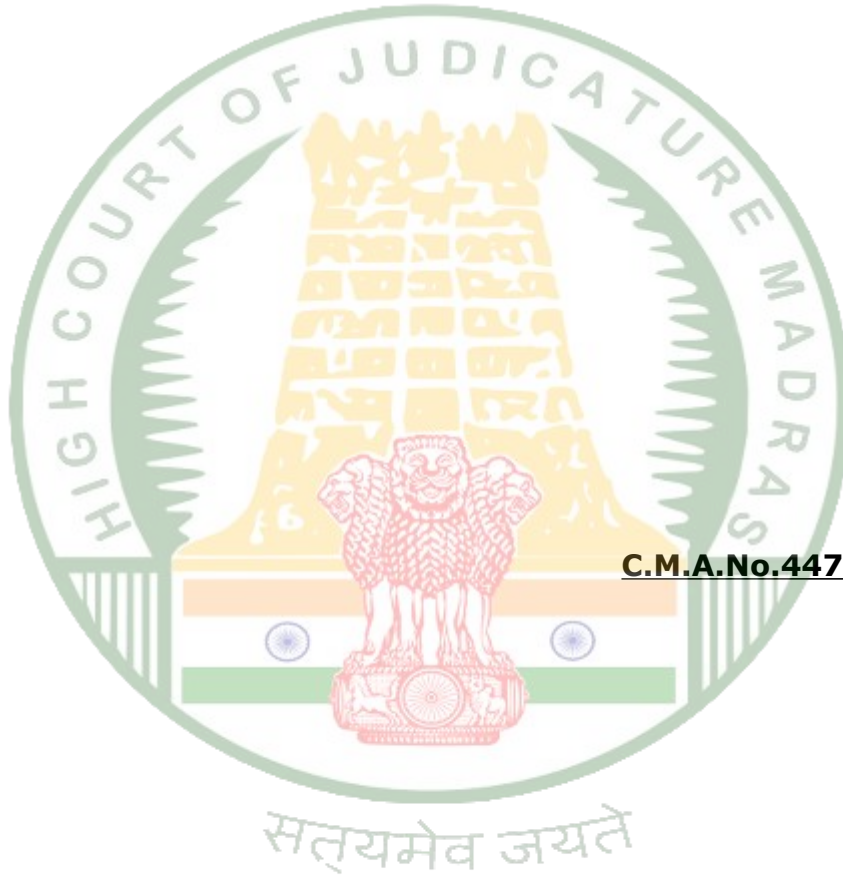
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**C.SARAVANAN.,J.**

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**14.12.2019**