

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

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE N.SATHISH KUMAR
and

Members

Mr. P.T.Loganathan, District Judge (Retd.)
Mrs.K.M.Valsala Kumari

C.M.A.No.1754 of 2017

(Appeal against the Judgment and Decree dated 24.07.2014 passed in
M.A.C.T.O.P.No.147 of 2013 on the file of the Motor Accidents Claims Tribunal,
Spl.District Court, Villupuram.

The Divisional Manager,
United India Insurance Co. Ltd.,
Manjakuppam, Cuddalore

.. Appellant

Vs.

- 1.Mrs.Gomathi
- 2.Minor Aswitha
Minor rep. By natural Guardian &
Mother Gomathi
- 3.Mrs. Marimuthammal
- 4.Mr.Kannan
- 5.Mr.Eniyavan
6. The Correspondent,
Valliammal Matric Higher Secondary School,
Periyamampattu, Thiyagadurugam,
Kallakurichi Taluk.

... Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.S.Arunkumar, learned counsel for appellant / insurance company/ claimant and Ms.C.Ambika, 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.42,52,120/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit. Aggrieved by the award of the Tribunal, the appellant has preferred the present appeal.

2. The matter was originally negotiated in the last Mega Lok Adalat conducted on 13.07.2019. When the matter was taken up today, the insurance company, without prejudice to their right to recover from the owner, has agreed to pay the Award amount of Rs.42,52,120/- with accrued interest and the same has been deposited at the time of filing this appeal. It is further submitted that the respondents have already agreed to return a sum of Rs.80,000/- (Rupees eighty thousand only) to the Insurance Company.

3. 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. Out of the Award amount a sum of Rs.80,000/- shall be paid to the Insurance Copy and the remaining amount shall be paid to respondents 1 to 5 as per the Award of the Tribunal. The minor's share shall be disbursed as per the Award of the Tribunal. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition if any, is closed.

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United India Insurance Co. Ltd.,
Manjakuppam, Cuddalore

Counsel for the appellant

1.Mrs.Gomathi

2.Minor Aswitha
Minor rep. By natural Guardian &
Mother Gomathi

3.Mrs. Marimuthammal

4.Mr.Kannan

5.Mr.Eniyavan Counsel for the respondents

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.

सत्यमेव जयते
Judge

Member

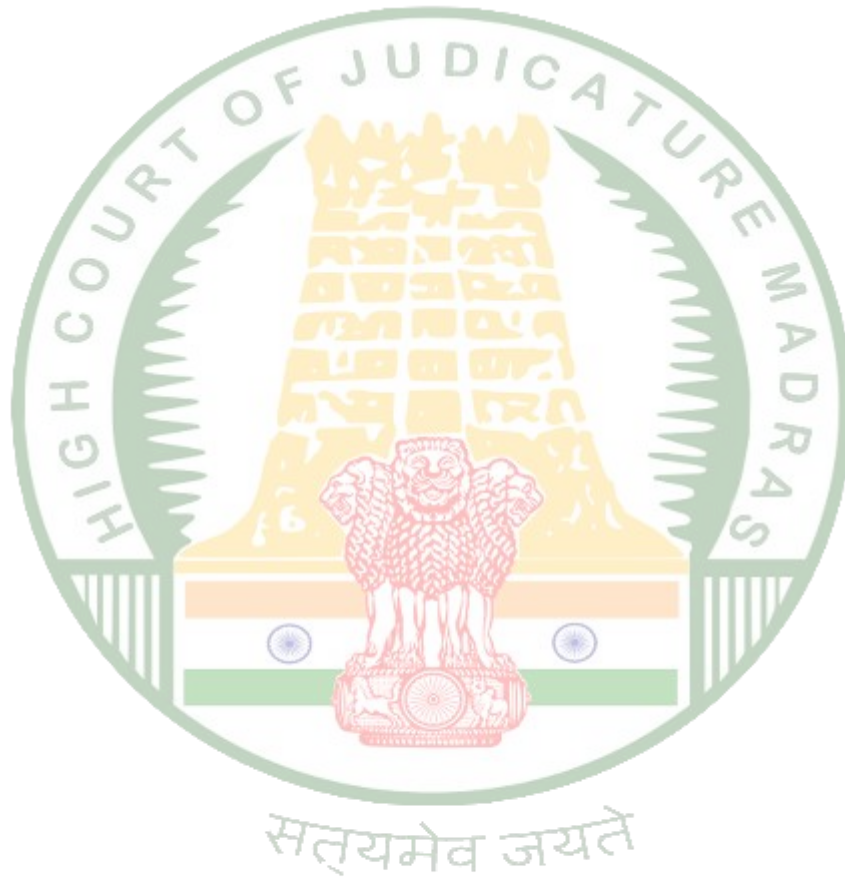
Member

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To:The parties/Advocate concerned

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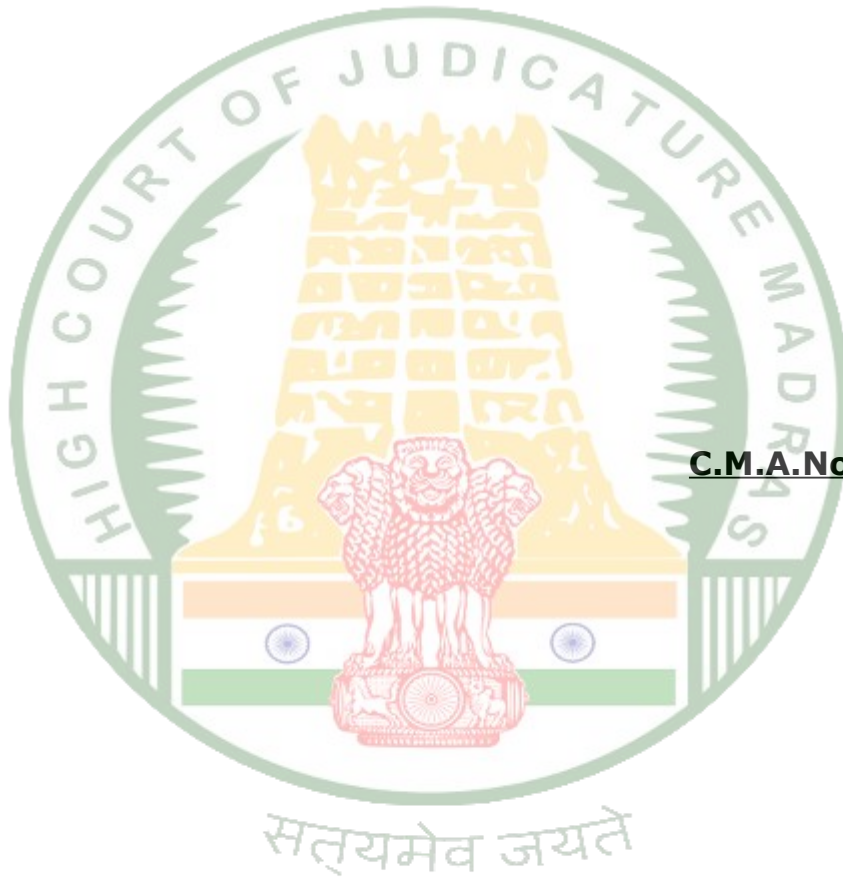
- 1.The Motor Accidents Claims Tribunal, Spl. District Court, Villupuram.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court,Madras.+2 copies



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N.SATHISH KUMAR, J.

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14.09.2019