



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

Friday, the 20th day of December, 2019

WEB COPY

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE N.AUTHINATHAN (Retd.)

and

Members

Mr.THANIKASALAM (District Judge, (Retd.,))

CMA.No.270 of 2017

Appeal against the Judgment and decree dated 21.08.2014 made in M.C.O.P.No.1677 of 2012 on the file of the Motor Accidents Claims Tribunal, 1st Additional District Judge, Cuddalore.

P.Elamaran ... Appellant/ Petitioner
Vs.

1. R.Lakshmanan
2. The Royal Sundaram Alliance Insurance Co. Ltd.,
127, II Floor, Natesan Towers, Natesan Nagar
Ellaipillaichavady, Pondicherry - 605 005.
... Respondents/ Respondents

This case has been listed today and came up for settlement before the Lok Adalat. Learned counsel for the Appellant M/s.A.N.Viswanatha Rao and the learned counsel for the second Respondent Mr.M.B.Raghavan and Mr.Purshottam Singhal, Manager (Legal), Royal Sundaram Alliance Insurance Company Limited are present. First respondent remained exparte.

The appeal in CMA.No.270 of 2017 pending on the file of High Court, Madras and preferred against the award passed in MCOP.No. 1677 of 2012 on the file of the Court of Motor Accidents Claims Tribunal, 1st Additional District Judge, Cuddalore, has been referred to Lok Adalat for conciliation today. After mutual discussion, negotiation, mediation and



conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

This is a case of Motor Accident causing injury to the appellant herein. The Tribunal has awarded a sum of Rs.1,25,000/- (Rupees One Lakh and Twenty Five Thousand only) as compensation along with interest at 7.5% per annum from the date of the claim petition till the date of deposit along with cost before the Tribunal.

2. The Appellant, who is the petitioner before the Tribunal, assisted by counsel and the 2nd Respondent / Royal Sundaram Alliance Insurance Company Limited, assisted by counsel and represented by Mr.Purshottam Singhal, Manager (Legal), Royal Sundaram Alliance Insurance Company Limited are present before Lok Adalat today for conciliation.

3. After due deliberation and discussion, both the parties have compromised the disputed claim at Rs.3,75,000/- (Rupees Three lakhs and Seventy Five Thousand only) as full quit of the claim over and above the awarded amount before the Tribunal. The 2nd respondent / Insurance Company has agreed to deposit the enhanced compensation of Rs.3,75,000/- (Rupees Three lakhs and Seventy Five Thousand only) within six weeks from the date of receipt of copy of this award.

Sd/-
P.Elamaran

Sd/-
Counsel for the Appellant

Sd/-
2. The Royal Sundaram Alliance Insurance Co. Ltd.,
127, II Floor, Natesan Towers, Natesan Nagar
Ellaipillaichavady, Pondicherry - 605 005.

Sd/-
Counsel for the Respondent

LOK ADALAT AWARD

2. In view of the compromise arrived at between both the parties, the Lok Adalat hereby declare and decree that the 2nd Respondent / Insurance company shall pay a sum of Rs.3,75,000/- (Rupees Three lakhs and Seventy Five Thousand only) towards full quit of the claim over and above the awarded amount before the Tribunal. Admittedly, the appellant has withdrawn the award of the Tribunal deposited by the Insurance Company before the Trial Court. The Insurance Company shall deposit the enhanced compensation within six weeks from the date of receipt of copy of this award.



3. On deposit of the enhanced compensation, the appellant is permitted to withdraw the said amount immediately without filing any formal petition.

4. The Tribunal is directed to issue the amount through cheque / RTGS to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

5. 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.

6. Award is passed accordingly and the Civil Miscellaneous Appeal is disposed of. No order as to costs.

Sd/-
Judge

Sd/-
Member

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

The parties/Advocate concerned

Copy to:

- 1.The Judge, 1st Additional District Court,
Motor Accidents Claims Tribunal, Cuddalore.
- 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.

A.SK(20/01/2020)

CMA.No.270 of 2017