

NATIONAL LOK ADALAT

Organised by the High Court Legal Services Committee
Saturday, the 09th day of March, 2019

LOK ADALAT AWARD

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

Presided by

THE HON'BLE Mr. JUSTICE M.NIRMAL KUMAR

and

Members:

Mr.T. Sankara Narayanan Pillai
Mr.Tranqubar Dorai Vasu

C.M.A.No.2979 of 2017

The Appeal is filed against the Judgment and decree dated 25.04.2017 and made in M.A.C.T.O.P.No.1582 of 2010 on the file of the Motor Accident Claims Tribunal Special Sub Court No.1 of Small causes, Chennai.

- 1.P.Ellaiyan
- 2.P.Kannappan
- 3.P.Kanniammal
- 4.P.Suresh

All are residing at

No.90, Chellaianman Koil Street,
Konathi Village, Korankolathur,
Chengalpattu Taluk,
Kancheepuram District.

...Appellants

Vs.

- 1.K.Thirugnanam,
No.7, Pooth Thaiza Street,
Mariamali Nagar,
Kancheepuram District.

(Since R1 remained exparte before the Tribunal his presence may be dispensed with)

- 2.United India Insurance Co.Ltd.,
134, Greams Road, Silingi,
Chennai 600 006.

...Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant Mr.F.Terry Chella Raja and the learned for the respondent Mr.Thirugnanam 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 appellant has preferred the present appeal aggrieved against the Award of the Tribunal to enhance the compensation from Rs.3,99,200/- to Rs.80,000/- with higher rate of interest and costs.

2. It is represented by the United India Insurance Co. Ltd., that the amount claimed before the Tribunal is Rs.10,00,000/- and the amount awarded by the Tribunal is Rs.3,99,200/-. Now, the Insurance company has further agreed to pay a sum of Rs.80,000/-

3.By way of compromise, it is agreed by both side that the compensation amount shall be re-fixed at Rs.80,000/- in full quit and it shall be deposited within a period of six weeks from the date of receipt of a copy of this order as full quit and the claimants are permitted to withdraw the said amount Rs.20,000/- each, without filling any petition. Award is modified accordingly.

M.NIRMAL KUMAR.J,

vv2

3. The Tribunal is directed to transfer the above said modified award amount to the individual bank account of the appellant by way of NEFT/RTGS, on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

4.The Civil Miscellaneous Appeal is disposed of accordingly.

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.

1.P.Ellaiyan

2.P.Kannappan

3.P.Kanniammal

4.P.Suresh

... Counsel for Appellant

2.United India Insurance Co.Ltd.,
134, Greams Road, Silingi,
Chennai 600 006.

... Counsel for 2nd Respondent

Judge

Member

Member

To

The parties/Counsel concerned

Copy to

- 1.The Motors Accidents Claims Tribunal,
In the III Court of Small Causes, 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.



C.M.A.No.2979 of 2017

09.03.2019

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