



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

WEB COPY

Wednesday, the 12th day of June, 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.THANIKACHALAM (Retd.)

and

Members

Mrs.BakyaRathi Rangarajan

CMA.No.32 of 2017

(Appeal to set aside the Decreetal Order and Judgment passed on 26.02.2016 made in M.C.O.P.No.7669 of 2013, on the file of Motor Accident Claims Tribunal, Chennai-III, Court of small Causes).

The Managing Director,
Metropolitan Transport Corporation Limited,
Anna Salai, Chennai -2. Appellant / Respondent

Vs.

R. Vijayakumar Respondent / Claimant

This case came up for settlement before the Lok Adalat. 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 respondent/ Claimant having sustained some injuries in a road accident, approached the Tribunal for a sum of



Rs.6,00,000/-. The Tribunal after enquiry passed an award for Rs.5,14,306/- with interest thereon @ 7.5% from the date of petition namely 16.12.2013 till the date of award of compensation @ 7.5% p.a. Aggrieved by the order, as if more compensation has been granted the appellant/ Transport Corporation preferred this appeal.

2. When the case is pending before this Forum for settlement and negotiation both the parties sat together, considering discussing the facts of the case come to the conclusion that the award has to be modified, a sum of Rs.1,50,000/- from the total amount and passed an award, in favour of the claimant for the rest of the amount plus interest accrued, in the Court Deposit. After the deposit by the Transport Corporation, as per the Direction of the Hon'ble High Court. The claimant was explained the amount eligible to him and satisfying himself he also accepted to pass an award modifying the same.

3. In view of the settlement reached between the parties, the award is modified as follows: The respondent had deposited the entire amount, including interest, from the said amount, the appellant/Transport Corporation is entitled to withdraw, in full quit without interest a sum of Rs.1,50,000/- from the Court deposit available before the Tribunal. The claimant/respondent is entitled to withdraw the remaining amount, in addition to the interest accrued from the deposited amount before the Tribunal, deposited in bank, which amount cannot be ascertained at present. In view of the same the respondent/claimant is entitled to Rs.4,77,562/- The respondent/claimant is entitled for an award of Rs.4,77,562/-, in addition to the entire interest accrued from the deposit made by the Transport Corporation which might have been deposited in the Bank. The Transport Corporation is not entitled to claim any proportionate interest therein.

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 ny for may permission petition.



5. The full Court fee 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 and there shall be no demand for additional Court fee.

sd/-
For The Managing Director,
A.S.Suresh Babbu
Asst Manager (L)
Metropolitan Transport
Corporation Ltd.,
Anna Salai, Chennai-2.

sd/-
Counsel for the Appellant

sd/-
R. Vijayakumar

sd/-
Counsel for the Respondent

sd/-
Judge

sd/-
Member

Sd/-
Assistant Registrar(Lok Adalat)

//True Copy//

Sub Assistant Registrar

smn

To:

The parties/Advocate concerned

Copy to:

1. Motor Accident Claims Tribunal, III Small Causes Court, 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.+2 copies

C.M.A.No.32 of 2017

NR(CO)
SSM(07/08/2019)