

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat organised by the High Court Legal Services Committee
Tuesday, the 23rd day of April, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE R.KARUPPIAH(Retd.)
and

Members

- 1.Mrs.M.Usha Rani
- 2.Mr.V.Shanmugasundaram

C.M.A.No.39 of 2017 and CMP.No.334 of 2017

(Appeal against the judgment and decree passed on 19.10.2016 in M.C.O.P.No.1015 of 2010 on the file of the Motor Accident Claims Tribunal, (Special Sub Court No.I, Motor Accidents Claims Petitions), Small Causes Court, Chennai.

The Oriental Insurance Company Limited,
547, Gandhi Road, First Floor,
Kancheepuram 631 501.

.. Appellant/2nd Respondent

Vs.

1.Veeraragavan

.. 1st Respondent/Petitioner

2.Nandha Kumar

(2nd Respondent remained
Set exparte before the Tribunal)

.. 2nd Respondent/1st Respondent

Prayer:-

Pursuant to the notice issued by this Forum, both parties are present today. On appearance of both parties, this case is taken up for settlement before the Lok Adalat. The learned counsel for the Appellant Mr.S.Manohar, learned counsel for the 1st Respondent Mr.V.Velu and Mr.S.Balakrishnan, Manager for the Oriental Insurance Company Limited 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. 11,34,610/- (Rupees Eleven lakhs, Thirty Four Thousand, Six hundred and Ten only) with interest at 7.5% per annum from the date of petition till the date of deposits and costs as compensation. Aggrieved by the award of the Tribunal, the appellant / Insurance company has preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to settle the dispute for a sum of Rs.10,00,000/- (Rupees Ten Lakhs Only) with interest at 7.5% and costs from the date of petition.

3. The appellant / Insurance Company is directed to deposit the above modified award amount of Rs.10,00,000/- (Rupees Ten Lakhs Only) with interest at 7.5% and costs from the date of petition, after deducting the amount already deposited if any, within a period of eight (8) weeks from the date of receipt of copy of this order.

4. On such deposit, the 1st claimant / 1st respondent is permitted to withdraw the modified amount without filing any formal petition. Counsel for the Claimant / 1st Respondent undertakes to not press the connected Cross Objection No.52 of 2017. Award is passed accordingly.

5. 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 Petition is closed, if any.

Sd/-

The Oriental Insurance Company Limited,
547, Gandhi Road, First Floor,
Kancheepuram 631 501.

Sd/-

Counsel for the Appellant

Sd/-

Veeraragavan

Sd/-

Counsel for the Respondent

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.

Sd/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar(L.A)

//True Copy//

Sub Assistant Registrar

To:The parties concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
Special Sub Court No.I,
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.39 of 2017

BS (CO)
CS/15/07/2019

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