

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services
Committee

Saturday, the 13th day of July, 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.SUBRAMANIAN

and

Members

Mr.A.Manivasakan, District Judge (Retd.),

Mr.Tranquebar Dorai Vasu

C.M.A.No.467 of 2017

(This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1989, to set aside the Judgment and Decree dated 06.07.2011 made in MACT.OP.No.473 of 2008 on the file of the Court of II Small Causes, Chennai, (Motor Accident Claims Tribunal)

Selvakumar @ Selvam

... Appellant/Petitioner

Vs.

1. The Social Education Centre
No.10, Potheagai Illam
Kovalam Road, Mamallapuram
Chengalpet.

2. The New India Assurance Company Limited
No.80, Arcot Road,
Porur, Chennai.

... Respondents/Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. Mr.V.Velu, learned counsel appearing for the appellant and Mr.S.Ramesh Babu, learned counsel appearing for the second respondent-Insurance Company.

TERMS OF SETTLEMENT

This Civil Miscellaneous Appeal has been filed under Section 173 of the Motor Vehicles Act, 1989, to set aside the Judgment and Decree dated 06.07.2011 made in MACT.OP.No.473 of 2008 on the file of the Court of II Small Causes, Chennai, (Motor Accident Claims Tribunal).

2. The Tribunal has awarded a sum of Rs.1,45,500/- with interest at 7.5% per annum from the date of petition till the date of deposit.

3. Pursuant to the award passed by the Tribunal, the second respondent/Insurance Company has deposited the entire award amount with interest.

4. The second respondent/Insurance Company has now agreed to pay Rs.53,000/- in full quit, over and above the amount awarded by the Tribunal. The claimant is also present before this Court and agreed for the same.

5. The 2nd respondent / Insurance Company is directed to deposit a sum of Rs.53,000/- (Rupees Fifty Three Thousand Only) within a period of four weeks from the date of receipt of a copy of this order. On such deposit, the appellant is permitted to withdraw the same.

6. The Tribunal is directed to transfer the amount in favour of the claimant through RTGS/NEFT, 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. Connected Miscellaneous petition is closed, if any.

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.

Judge

Member

Member

Selvakumar @ Selvam

Counsel for the Appellant

The New India Assurance Company Limited
No.80, Arcot Road,
Porur, Chennai.

Counsel for the 2nd respondent

To:
The parties/Advocate concerned

Copy to:

1. II Court of Small Causes, Chennai, (Motor Accidents Claims Tribunal)
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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R.SUBRAMANIAN, J.

mk/jv



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13.07.2019