

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI  
National Lok Adalat organised by the High Court Legal Services Committee  
Saturday, the 14th day of December, 2019

**LOK ADALAT AWARD**

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

Presided over by

**The Hon'ble Mr.JUSTICE C. SARAVANAN**

and

Members

Mrs.Revathi G.Mohan

Mr.M.Sambasivam

**C.M.A.No.988 of 2017**

[Appeal against the judgment and decree passed on 29.07.2015 in MCOP.No.113 of 2014 on the file of the Motor Accidents Claims Tribunal) Chief Judicial Magistrate, Perambalur. )

Bajaj Allianz General Insurance Company,  
Limited, No.49/498, 5th Floor, Isana Katima  
Building, Poonamallee High Road,  
Arumbakkam, Chennai 600 106.

... Appellant

vs.

1.Krishnakumar  
2.C.K.Velmurugan  
(2nd respondent remained exparte  
before the Tribunal)

.. Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant M/s.Akshaya V.C. for Mr.S.Manohar and learned counsel for the 1st respondent Mr.A.Pichaimani 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.11,34,007/- with interest at 7.5% per annum from the date of numbering of the petition till the date of realisation and cost. Since the appellant-Insurance company having 80% contributory negligence, it was directed to

deposit a sum of Rs.9,07,206/- with interest and cost and the 1st respondent-claimant having 20% contributory negligence and the same was disallowed from the award amount of Rs.11,34,007/- It is represented by the learned counsel for the appellant that a sum of Rs.25,000/- has already been deposited before the Tribunal.

2. Aggrieved over the award of the Tribunal, the appellant/Insurance Company has preferred the present appeal. Now, both the parties have agreed to modify the award to a sum of Rs.6,50,000/- (Rupees Six Lakhs fifty thousand only) in full quit as compensation. On such deposit, the 1st respondent is permitted to withdraw a sum of Rs.6,50,000/- with accrued interest from the date of petition till the date of realisation without filing any formal petition. After satisfaction of the decree, the appellant is entitled to withdraw the remaining amount as deposited along with interest accrued.

3. The Tribunal is directed to issue the cheques to the parties 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.

Bajaj Allianz General Insurance Company,  
Limited, No.49/498, 5th Floor, Isana Katima  
Building, Poonamallee High Road,  
Arumbakkam, Chennai 600 106.

Counsel for the Appellant

Krishnakumar

Counsel for the 1st respondent

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**

To

The parties/Advocate concerned

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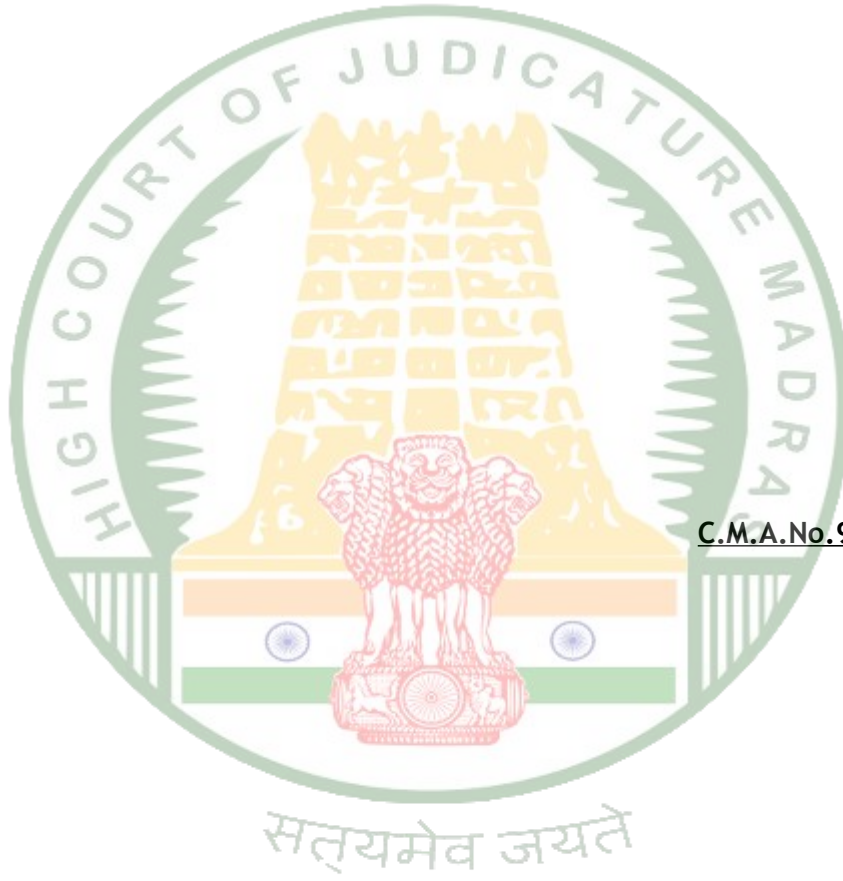
- 1.The Motor Accidents Claims Tribunal  
Chief Judicial Magistrate, Perambalur. )
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.



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C.SARAVANAN,J.

jen/kkd



C.M.A.No.988 of 2017

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14.12.2019