

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 M.DHANDAPANI
and

Members

Mr.Pa.Kadirvel
Mr.Ravinder Bose

C.M.A.No.2839 of 2018

(Appeal against the judgment and decree passed on 31.10.2017 made in M.C.O.P.No.149 of 2016 on the file of Motor Accident Claims Tribunal,II Additional Judge, Tindivanam.

The Managing Director
The Tamilnadu State Transport Corporation Limited
Railway Station Road,
Kumbakonam 612 001.

... Appellant

/versus/

1.Tamil Arasi,
2.Minor.Manikandan
3.Minor.Janaki
4.Minor. Kokila

Minors are represented by their next friend
and Guardian Mother Tamilarasi

5.Asothammal

... Respondents

Chinnathambi (deceased)

.... 6th Petitioner.

The case is not listed today. With the consent of both the parties, this case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.D.Venkatachalam, learned counsel for appellant and Mr.N.S.Nagappan, learned counsel for the respondents 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.16,28,900/- with interest at the rate of 7.5 % per annum from the date of filing of the petition on 30.07.2009 till the date of deposit. Aggrieved by the said award of compensation, the appellant/Transport Corporation has preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed to modify the award of the Tribunal to a sum of Rs.23,81,172/- (Rupees Twenty three Lakhs Eighty one thousand one hundred and seventy two only) in Full Quit (including interest and TDS).

3. The appellant Transport Corporation is directed to deposit the modified award amount arrived at today, less the amount already deposited, if any (including TDS), within a period of twelve weeks, from the date of receipt of a copy of this order, to the credit of M.C.O.P.No.149 of 2016, on the file of the Motor Accident Claims Tribunal, II Additional District Judge, Tindivanam, failing which, the appellant shall deposit the modified award amount with simple interest at the rate of 6%. It is now represented that the minor claimants have attained the age of majority.

4. On such deposit being made, the appellants / claimants are permitted to withdraw their respective share amount as apportioned by the

Tribunal.

5. The Tribunal is directed to transfer the above said award amount to the Bank account of the respondents / claimants by way of NEFT / RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

6. The Civil Miscellaneous Appeal is disposed of accordingly. No costs. Consequently, connected civil miscellaneous petition, if any, is closed.

The Managing Director
The Tamilnadu State Transport Corporation Limited
Railway Station Road,
Kumbakonam 612 001.

Counsel for the Appellant

1.Tamil Arasi

2.Minor.Manikandan

3.Minor.Janaki

3.Minor. Kokila

5.Asothammal

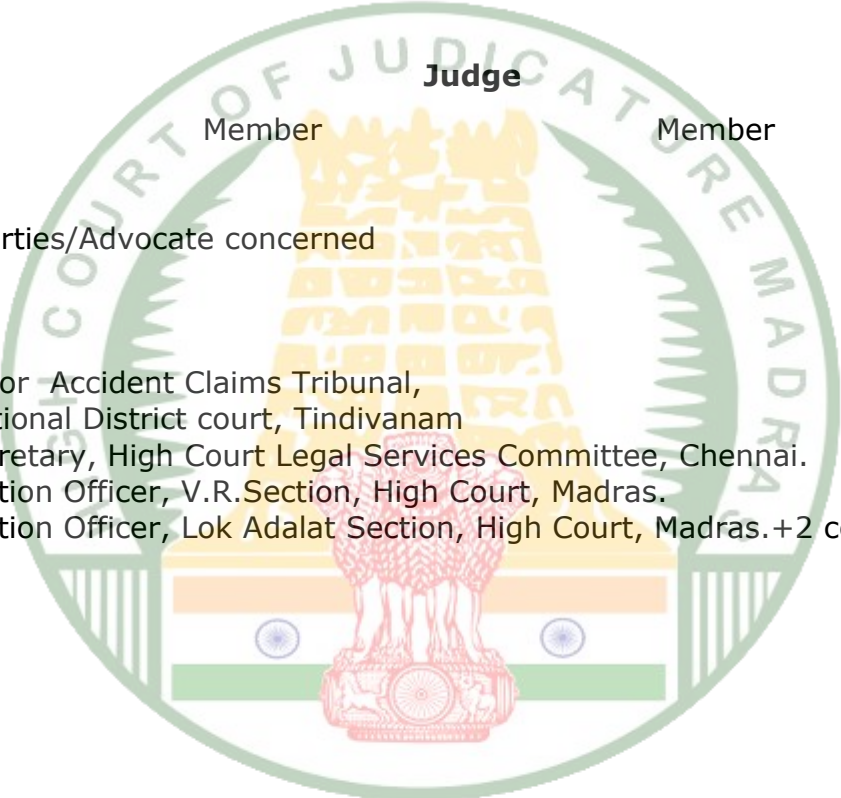
Counsel for the Respondents

This Lok Adalat award is passed in terms of the above settlement.

M.DHANDAPANI,J.

Jrs/kas

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.



Judge

Member Member

To: The parties/Advocate concerned

Copy to:

1. The Motor Accident Claims Tribunal,
II Additional District court, Tindivanam
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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