

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI  
Lok Adalat-I organised by the High Court Legal Services Committee  
Friday, the 1<sup>st</sup> day of March 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE K.SWAMIDURAI (Retd.)  
and

Members

1. Mr. K.S.Venkatachalam
2. Dr.P.Vasudevan

CMA.No.1885 of 2014

Appeal against the Judgment and decree dated 13.08.2013 made  
in M.C.O.P.No.2763 of 2011 on the file of the Motor Accident  
Claims Tribunal, VI Small Causes Court, Chennai.

1. R.Srinivasan
- 2.S.Kokila
- 3.S.Gopi

.... Appellants/Petitioners

Vs.

- 1.S.Dilli (As per R.C. Book)
- 2.M.Mathiazhagan (As per Insurance)
- 3.Bajaj Allianz General Insurance,  
Prince Towers, 4<sup>th</sup> Floor,  
No.25 & 26, College Road,  
Nungambakkam, Chennai - 06.

(1<sup>st</sup> and 2<sup>nd</sup> Respondents are set exparte before the Tribunal)

.... Respondents/Respondents

This case has been listed today and came up for settlement  
before the Lok Adalat. Learned counsel for the Appellant  
Mr.K.Varadha Kamaraj and the learned counsel for the  
Respondents Mr.S.Manohar and Ms.N.Thilagavathy, Legal Officer,  
Bajaj Allianz General 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.5,38,000/- (Rupees Five  
Lakhs Thirty Eight Thousand only) with interest at 7.5% per  
annum from the date of petition till the date of deposit. It  
is represented by the learned counsel for the Respondent /  
Insurance company that a sum of Rs.6,45,230/- (Rupees Six Lakhs

Forty Five Thousand Two Hundred and Thirty only) has been withdrawn by the claimants / appellants before the Tribunal.

2. Not satisfied with the award of the Tribunal, the claimant / appellant has preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.2,00,000/- (Rupees Two Lakhs only), as full quit of the claim over and above the awarded amount before the Tribunal.

3. The Respondent / Insurance company is directed to deposit the modified award amount of Rs.2,00,000/- (Rupees Two Lakhs only), as full quit of the claim over and above the awarded amount within a period of eight weeks from the date of receipt of a copy of this order.

4. On such deposit, 1<sup>st</sup> appellant / 1<sup>st</sup> claimant is entitled to withdraw a sum of Rs.1,00,000/- (Rupees One Lakh only) and 2<sup>nd</sup> and 3<sup>rd</sup> appellants / 2<sup>nd</sup> and 3<sup>rd</sup> Claimants are entitled to withdraw a sum of Rs.50,000/- (Rupees Fifty Thousand only) each without filing any formal petition before the Tribunal. The Award is passed accordingly.

5. The Tribunal is directed to issue the amount through cheque / RTGS 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.

Sd/-  
R.Srinivasan

Sd/-  
Counsel for the Appellant

Sd/-  
S.Kokila

Sd/-  
S.Gopi

Sd/-  
Bajaj Allianz General Insurance,  
Prince Towers, 4<sup>th</sup> Floor,  
No.25 & 26, College Road,  
Nungambakkam, Chennai - 06.

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

//True Copy//

Sub Assistant Registrar

To:

The parties/Advocate concerned

Copy to:

1. The Motor Accident Claims Tribunal, VI 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

सत्यमेव जयते

CMA.No.1885 of 2014

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srg 08/04/2019

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