

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 9th day of March, 2019
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Honourable Mr.JUSTICE P.RAJAMANICKAM

and

Members:

Mr.P. Subburaj (Retd. Judge)

Mrs.R.Rathnathara

C.M.A.No.2770 of 2014

(Appeal against the Judgment and decree passed on 18.07.2013 in M.C.O.P.No.1689 of 2009 on the file of the Motor Accidents Claims Tribunal, Cuddalore (Principal Subordinate Judge, Cuddalore).

The Divisional Manager,
National Insurance Co.Ltd.,
Puducherry.

...Appellant/2nd respondent

vs.

1.R. Mukilan

2.Arul Gnanavadivelan

(R2 remained ex parte before the Tribunal)

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.S. Vadivel, learned counsel for appellant and Mr.B. Rajkumar Ashok Singh, learned counsel for the first respondent are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follow:

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.2,11,600/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit and costs as compensation. It is represented that the appellant/Insurance Company had already deposited 50% of the award amount before the Tribunal. Challenging the quantum of compensation, the appellant/Insurance Company has preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award amount to the tune of Rs.2,00,000/- (Rupees Two Lakhs Only) in full quit and the award is accordingly modified.

3. In view of the above, the appellant/Insurance Company is directed to deposit the entire compensation amount, after deducting the amount already deposited, within a period of four weeks. On such deposit, the first respondent/claimant is entitled to withdraw the entire deposit amount with accrued interest thereon.

4. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed.

The Divisional Manager,
National Insurance Co.Ltd.,Puducherry.

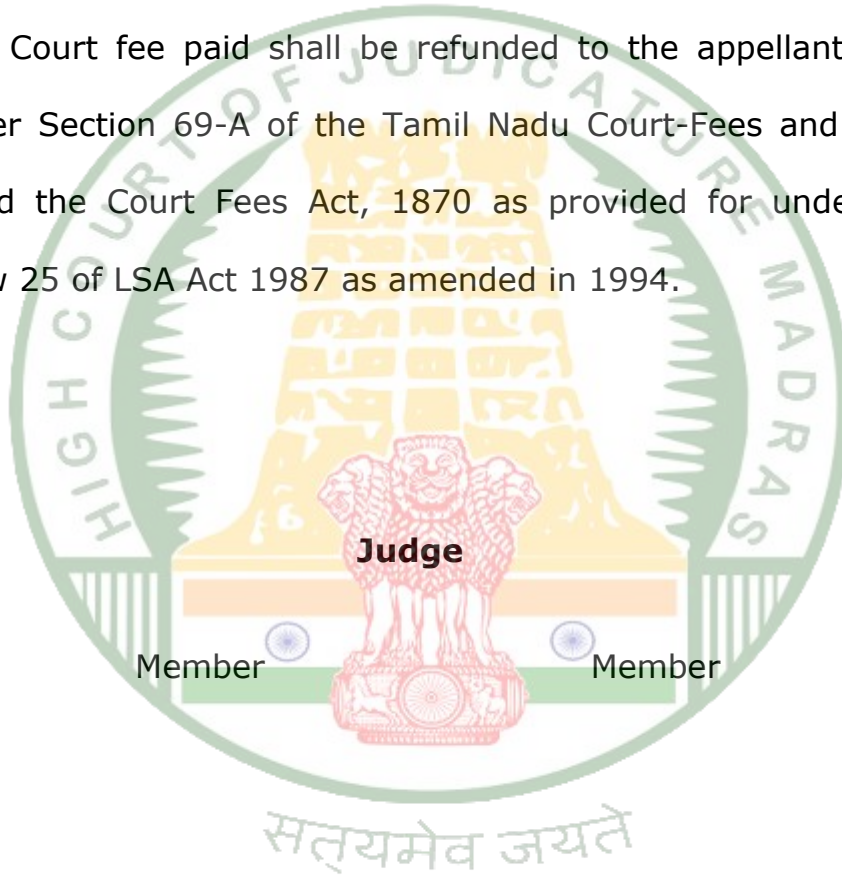
Counsel for Appellant

R. Mukilan

Counsel for the first respondent

This National 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.



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P.RAJAMANICKAM, J.

gv/dna

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, Cuddalore (Principal Subordinate Judge, Cuddalore).
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.

C.M.A.No.2770 of 2014

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09.03.2019