

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 8th February 2020

NATIONAL 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

Mr.N.Mohandoss, District Judge (Retd)

Mr.Karthick Ranganathan

C.M.A.Nos.2091 and 2147 of 2015

(Appeals against the judgment and decree passed on 20.01.2015 made in MCOP.No.6290 of 2013 on the file of the Motor Accidents Claims Tribunal, II Small Causes Court, Chennai)

CMA.No.2091 of 2015

Muthal @ Muthulakshmi

.. Appellant

v.

1.Jessy George

2.The Oriental Insurance Company Limited

115/116, Prakasam Salai,
Chennai-118.

.. Respondents

(R1 was set exparte before the Tribunal)

CMA.No.2147 of 2015

The Oriental Insurance Company Ltd

115/116, Praksam Salai,
Chennai - 118.

.. Appellant

v.

1.Muthal @ Muthulakshmi

2.Jessy George

.. Respondents

(R2 was set exparte before the Tribunal)

CMA.No.2091 of 2015 is not listed today. At request, the matter is taken up for settlement along with CMA.No.2147 of 2015 before this Lok Adalat. Both the parties are present. Mr.S.Arunkumar, learned counsel for Insurance Company and Mr.T.Terry Chellairaj, learned counsel for the claimant 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.6,47,000/- with interest at the rate of 7.5% per annum as compensation to the claimant. Challenging the same, the claimant and the Insurance Company have preferred the respective appeals.

2. After due deliberation and consultation, both the parties have mutually agreed to enhance the award amount to a sum of Rs.10,00,000/- with interest at 7.5%pa from the date of numbering the claim petition. The award of the Tribunal is modified accordingly.

3. The Insurance Company has already deposited the entire award amount along with proportionate interest, as per the order of this Court. The appellant/Insurance Company undertakes to deposit the enhanced compensation amount along with proportionate interest, within a period of six weeks from the date of receipt of a copy of this settlement order. On such deposit being made, the Tribunal shall transfer the compensation amount, after adjusting the amount already withdrawn by the claimant, if any, to the savings bank account of the claimant, through RTGS forthwith, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

4. Accordingly, the Civil Miscellaneous Appeals are disposed of. Consequently, connected civil miscellaneous petition, if any, is closed.

Muthal @ Muthulakshmi

Counsel for the claimant

The Oriental Insurance Company Limited
115/116, Prakasam Salai,
Chennai-118.

Counsel for the insurance company

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.

Judge

Member

Member

Copy to:

- 1.The Motor Accidents Claims Tribunal, II 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



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C.SARAVANAN, J.

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C.M.A.Nos.2091 and 2147 OF 2015

Dated : 08.02.2020

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