

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

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.V.C.Suresh, Sub Judge, Retired
Mr.P.Madhan

**C.M.A.No.2221 of 2013 and
C.M.A.No. 2374 of 2014**

(Appeals against the judgment and decree dated 12.03.2012 made in
M.C.O.P.No.239 of 2011 on the file of the Subordinate Judge, Motor Accident
Claims Tribunal,Chidambaram)

CMA 2221 of 2013

Managing Director,
Tamil Nadu State Transport Corporation,
Villupuram (Division) Ltd.,
Villupuram

... Appellant/1st respondent

Vs.

1. Vijaya Baskar

... 1st respondent/claimant

2. Venkatesan

... 2nd respondent/2nd respondent

3. United India Insurance Company

Rep. by is Regional Manager,
Cuddalore.

... 3rd respondent/3rd respondent

CMA 2374 of 2014

United India Insurance Company
Rep. by is Regional Manager,
Cuddalore.

... Appellant/ 3rd respondent

/Versus/

- | | |
|--|------------------------------------|
| 1. Vijayabaskar | ... 1st respondent/Claimant |
| 2. Managing Director,
Tamil Nadu Transport Corporation,
Villupuram | ... 2nd respondent/ 1st respondent |
| 3. Venkatesan | ... 3rd respondent/2nd respondent |

Both the cases are taken up for settlement before this Lok Adalat.
Both the parties are present.

CMA 2221 of 2013

For Appellant	- Mr. C.S.K.Sathish
For Rspondents	-Mr.A.Muruga (for R1)
	Mr.B.Sankara Narayanan (for R3)

CMA No.2374 of 2014

For appellant	- Mr.B.Sankara Narayanan
For Respondents	- Mr.A.Muruga (for R1)
	Mr.C.S.K.Sathish (for R2)

After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

As against the claim made by the injured/claim in a sum of Rs.20,00,000/-, theTribunal has awarded a sum of Rs.14,35,000/- with interest at the rate of 7.5% per annum from the date of petition till the date

of deposit to be shared equally by both the Transport Corporation and the Insurance Company. Aggrieved by the said compensation, the appellant/ Transport Corporation has preferred the appeal in CMA No.2221 of 2013, whereas, the appellant/Insurance Company has filed the appeal in CMA No.2374 of 2014

2. After due deliberation and consultation, both the parties agreed to modify the award of the Tribunal to a sum of Rs.14,50,000/- (Rupees fourteen lakhs and fifty thousand Only) in full quit.

3. The appellant/ Transport Corporation in CMA No.2221 of 2013 and the appellant/ Insurance Company in CMA No.2374 of 2014 are directed to deposit 50% each of the modified award amount arrived at today, less the amount already deposited, if any, within a period of eight weeks from the date of receipt of a copy of this order, to the credit of M.C.O.P.No.239 of 2011 on the file of the Subordinate Judge, Motor Accident Claims Tribunal, Chidambaram, failing which, the appellant in both the appeals shall deposit the modified award amount with simple interest at the rate of 7.5% p.a. On such deposit being made, the claimant is entitled to withdraw the entire amount and the appellant in both the appeals i.e. Transport Corporation and the Insurance Company are permitted to withdraw the balance amount with accrued interest.

4. The Tribunal is directed to transfer the above said award amount to the Bank account of the respondent / claimant 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. Consequently, connected civil miscellaneous petition, if any, is closed.

The Managing Director,
Tamil Nadu State Transport Corporation,
Villupuram (Division) Ltd.,
Villupuram

Counsel for the appellant in
CMA No.2221 of 2013

United India Insurance Company
Rep. by its Regional Manager,
Cuddalore.

Counsel for the appellant in
CMA No.2374 of 2014

Vijayabaskar

Counsel for claimant/
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.

Judge

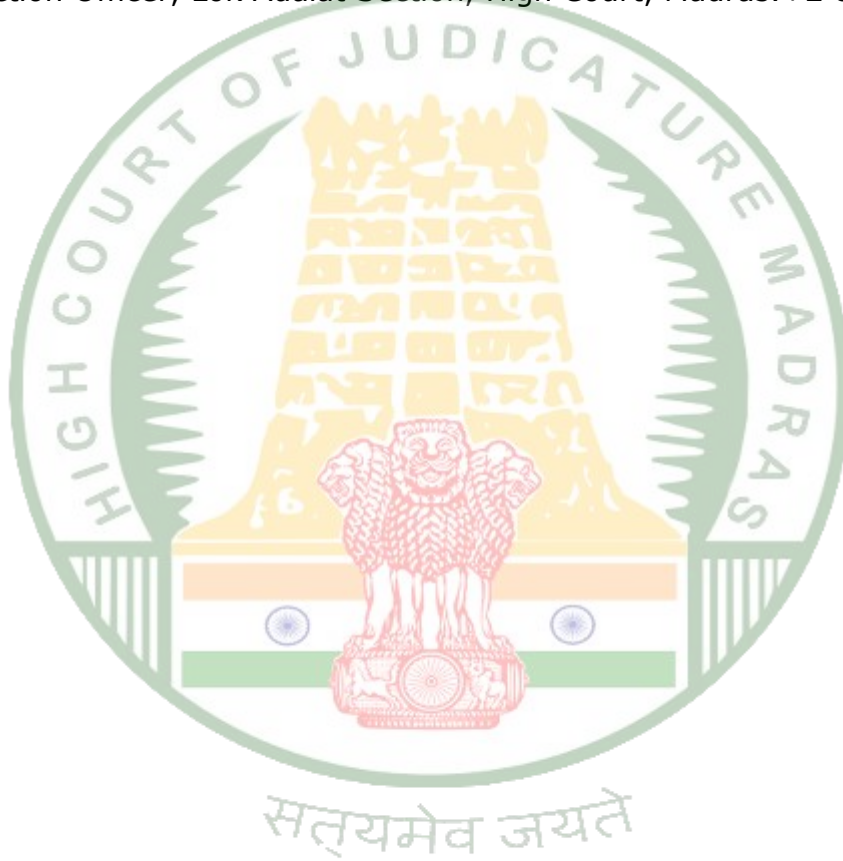
Member

Member

To: The parties/Advocate concerned

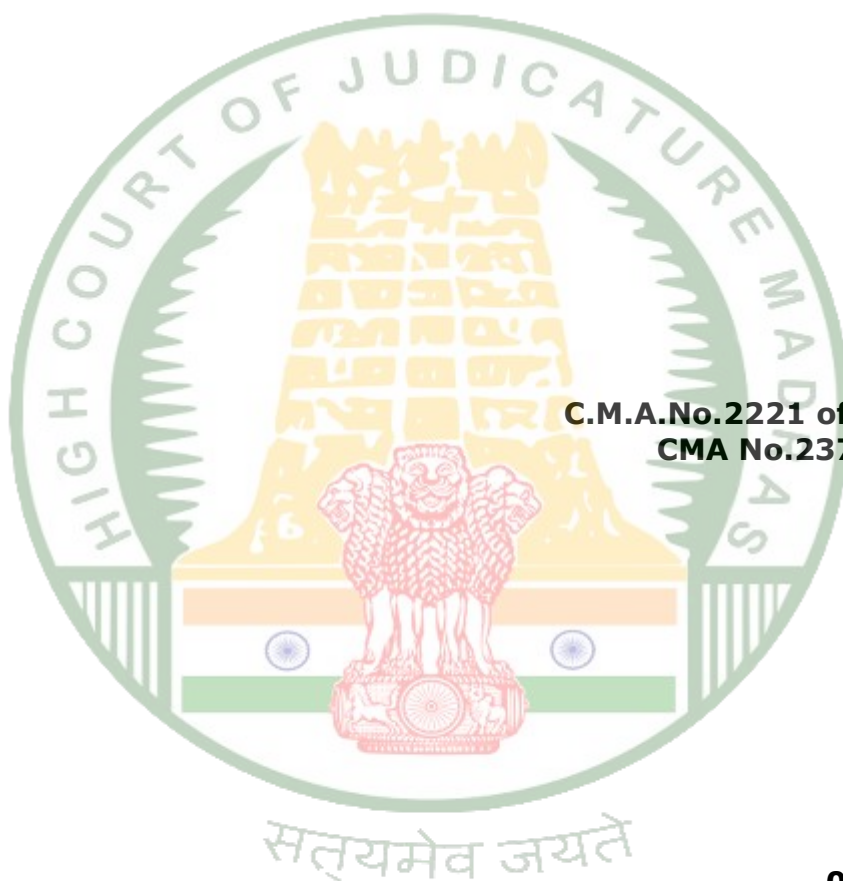
Copy to:

1. The Subordinate Judge, Motor Accident Claims Tribunal,
Chidambaram
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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M.DHANDAPANI,J.
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**C.M.A.No.2221 of 2013 and
CMA No.2374 of 2014**

08.02.2020

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