

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Friday, 10th day of January 2020

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

The Hon'ble Mr.JUSTICE T.N.VALLINAYAGAM (Retd.)

and

Members

Mrs.V.J.LATHA (Advocate)

CMA.No.2898 of 2019

Appeal against the Judgment and decree dated 12.09.2018 made
in M.C.O.P.No.105 of 2015 on the file of the Motor Accidents
Claims Tribunal, Subordinate Judge, Madurantakam.

Purusothaman ... Appellant

Vs.

1. Sathyaseelan

2. Sri Ram General Insurance Co. Ltd.,
No.62, 2nd Floor, City Centre Complex,
Thirumullai Pillai Road
Chennai-17. ... Respondents

This case has been listed today and came up for settlement
before the Lok Adalat. Appellant assisted by Mr.N.M.Elumalai,
learned counsel for the Appellant and Mr.S.T.C.Mohana Krishnan
(Senior Executive) of the second respondent Insurance Company
assisted by learned counsel for the second Respondent
Mr.K.Poomalai are present. First respondent remained exparte.

The appeal in CMA.No.2898 of 2019 pending on the file of
High Court, Madras and preferred against the award passed in
MCOP.No. 105 of 2015 on the file of the Court of Motor Accidents
Claims Tribunal, Subordinate Judge, Madurantakam, has been
referred to Lok Adalat for conciliation today. After mutual
discussion, negotiation, mediation and conciliation between both
parties, they arrived at a compromise to settle the matter as
follows:

TERMS OF SETTLEMENT

This is a case of Motor Accident causing injury to the appellant herein. The Tribunal has awarded a sum of Rs.14,82,272/- (Rupees Fourteen Lakhs Eighty Two Thousand Two Hundred and Seventy Two only) as compensation along with interest at 9% per annum from the date of the claim petition till the date of deposit along with cost before the Tribunal.

2. After due deliberation and discussion, both the parties agreed for settlement of the claim involved in the Appeal at Rs.8,00,000/- (Rupees Eight lakhs only) as full quit over and above the award granted by the Tribunal. The 2nd respondent / Insurance Company has agreed to deposit the enhanced compensation of Rs.8,00,000/- (Rupees Eight lakhs only) within eight weeks from the date of receipt of copy of this award.

-s/d-

Purusothaman

-s/d-

Sri Ram General Insurance Co. Ltd.,
No.62, 2nd Floor, City Centre Complex,
Thirumullai Pillai Road
Chennai 17.

-s/d-

Counsel for the Appellant

-s/d-

Counsel for the Respondent

LOK ADALAT AWARD

2. In view of the settlement arrived at between both the parties, the Lok Adalat hereby declare and decree that the 2nd Respondent / Insurance company shall pay a sum of Rs.8,00,000/- (Rupees Eight lakhs only) towards full quit of the claim over and above the awarded amount by the Tribunal. Admittedly, the appellant has withdrawn the award of the Tribunal deposited by the Insurance Company before the Tribunal. The Insurance Company shall deposit the enhanced compensation within eight weeks from the date of receipt of copy of this award.

3. On deposit of the enhanced compensation, the appellant is permitted to withdraw the said amount immediately without filing any formal petition.

4. The Tribunal is directed to issue the amount through cheque / RTGS to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

5. 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.

6. Award is passed accordingly and the Civil Miscellaneous Appeal is disposed of. No order as to costs.

-s/d-
Judge

-s/d-
Member

Sd/-
Asst.Registrar

/true copy/
Sub Asst. Registrar

To:

The parties/Advocate concerned

Copy to:

1. The Subordinate court, Motor Accidents Claims Tribunal, Madurantakam.
- 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

CMA.No.2898 of 2019

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