

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.No.1784 of 2014
and M.P.No.1 of 2014

[Appeal against the judgment and decree passed on 04.02.2014 in MCOP.No.5750 of 2012 on the file of the Motor Accidents Claims Tribunal / III Judge, Court of Small Causes, Chennai.]

The Oriental Insurance Company Ltd.
 No.216, Prakasam Salai, Broadway,
 Chennai - 600 001.

... Appellant

Vs.

1. Indira
2. Vignesh(minor)
3. Deenadhayalan(minor)
 (2nd and 3 minors rep. By their
 mother 1st respondent herein)
4. S.Prema

.. Respondents

This case was listed for settlement before the Lok Adalat on 14.12.2019. On the same day, the matter was settled. For clarification, the matter is listed today before the Lok Adalat. The learned counsel for the appellant Mr.Elveera Ravindran and learned counsel for the respondents Mr.R.Kalaiarasan 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.12,05,000/- with interest at 7.5% per annum from 16.11.2012 till the date of deposit.

2. Aggrieved over the award of the Tribunal, the appellant/Insurance Company has preferred the present appeal. Now, both the parties have agreed to modify the award to a sum of Rs.10,40,000/- (Rupees Ten Lakhs and forty thousand only) with proportionate interest and cost. On such deposit, the 1st respondent is permitted to withdraw her share of Rs.5,40,000/- with proportionate interest, after deducting the amount already withdrawn if any, without filing any formal petition. The minor respondents 2 and 3 are entitled to their share of Rs.2,50,000/- each, with proportionate interest and the same shall be deposited in anyone of the nationalised banks till they attain majority. On attaining the age of majority, the respondents 2 and 3 are permitted to withdraw their respective shares on production of age proof certificate before the Tribunal. The Award is passed accordingly. As the entire award amount with interest already deposited by the appellant, they are permitted to withdraw the excess amount deposited.

3. The Tribunal is directed to issue the cheques 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. Consequently, connected Miscellaneous Petition is closed.

The Oriental Insurance Company Ltd.
No.216, Prakasam Salai, Broadway,
Chennai - 600 001.

Counsel for the Appellant

Indira
(2nd and 3 minors rep. By their
mother 1st respondent herein)

Counsel for the R1 to R3

This Lok Adalat award is passed in terms of the above settlement.

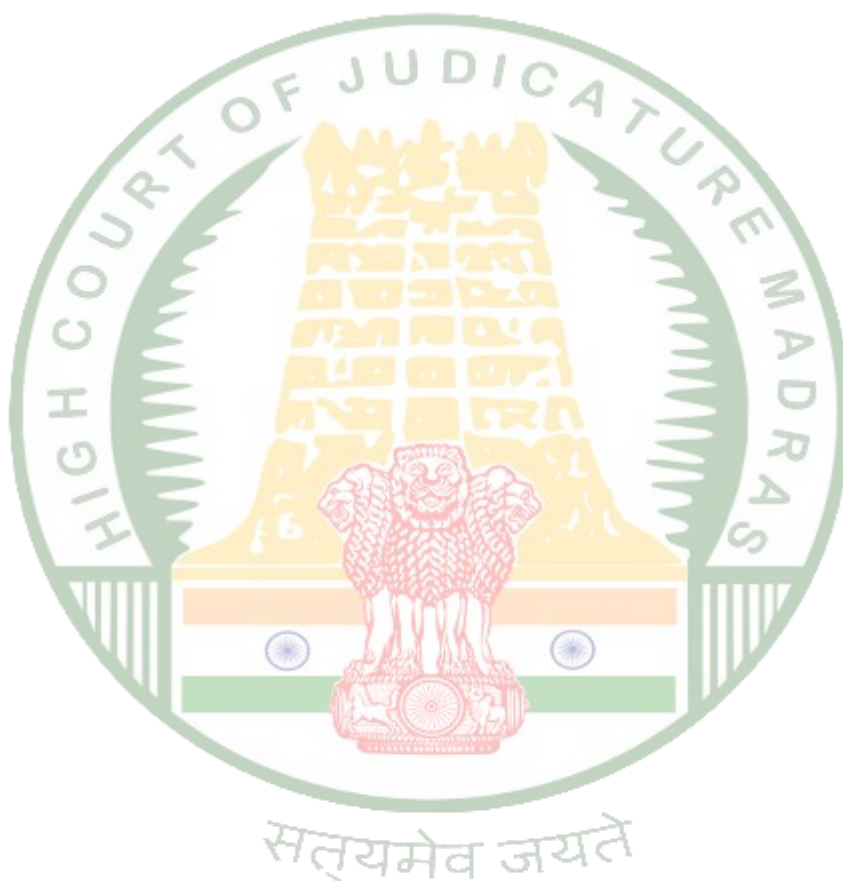
The Court fee paid shall be refunded to the parties in the manner provided under the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

To

The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal /
III Judge, Court of Small Causes, 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.



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C.SARAVANAN,J.

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08.02.2020