

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 Honourable Mr.JUSTICE M. DHANDAPANI

and

Members

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

C.M.A.No.3436 of 2014

(Appeal against the Judgment and Decree dated 30.04.2014 made in
M.A.C.T.O.P. No.5668 of 2011, on the file of the VI Judge, Motor Accidents Claims
Tribunal, Court of Small Causes, Chennai.)

National Insurance Co. Ltd.,
No.751, Anna Salai,
Chennai - 600 002

... Appellant

/versus/

1. R. Gothandapani S/o. Renganathan

2. The Managing Director,
Puducherry Road Transport Corporation Ltd.,
Pondicherry - 605 002.

(R2 remained exparte before the Tribunal)

.. Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr. D. Baskaran, learned counsel for the appellant and Mrs.Ramya V. Rao, learned counsel for the 1st respondent 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 1st respondent/claimant claimed a sum of Rs.15,00,000/- as compensation before the Tribunal. However, the Tribunal has awarded a sum of Rs.14,09,200/-with interest at 7.5% per annum from the date 20.12.2011 till the date of deposit. Aggrieved by the said compensation, the appellant/Insurance Company has preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed to modify the award of the Tribunal to a sum of Rs.13,00,000/-(Rupees Thirteen Lakh Only) with interest @ 7.5% p.a from the date 20.12.2011, till the date of deposit of award amount

3.The appellant/Insurance company is directed to deposit 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.A.C.T.O.P. No.5668 of 2011 on the file of the VI Judge, Motor Accident Claims Tribunal, Court of Small Causes, Chennai, failing which, the appellant shall deposit the modified award amount with simple interest at the rate of 7.5% p.a. On such deposit being made, the 1st respondent/claimant is permitted to withdraw the award amount.

4. The Tribunal is directed to transfer the above said award amount to the Bank account of the 1st 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.

5. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected civil miscellaneous petition, if any, is closed.

National Insurance Co. Ltd.,
No.751, Anna Salai,
Chennai - 600 002

Counsel for the Appellant

R. Gothandapani S/o. Renganathan

Counsel for the 1st 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 per sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

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Judge

Member

Member

M.DHANDAPANI,J.

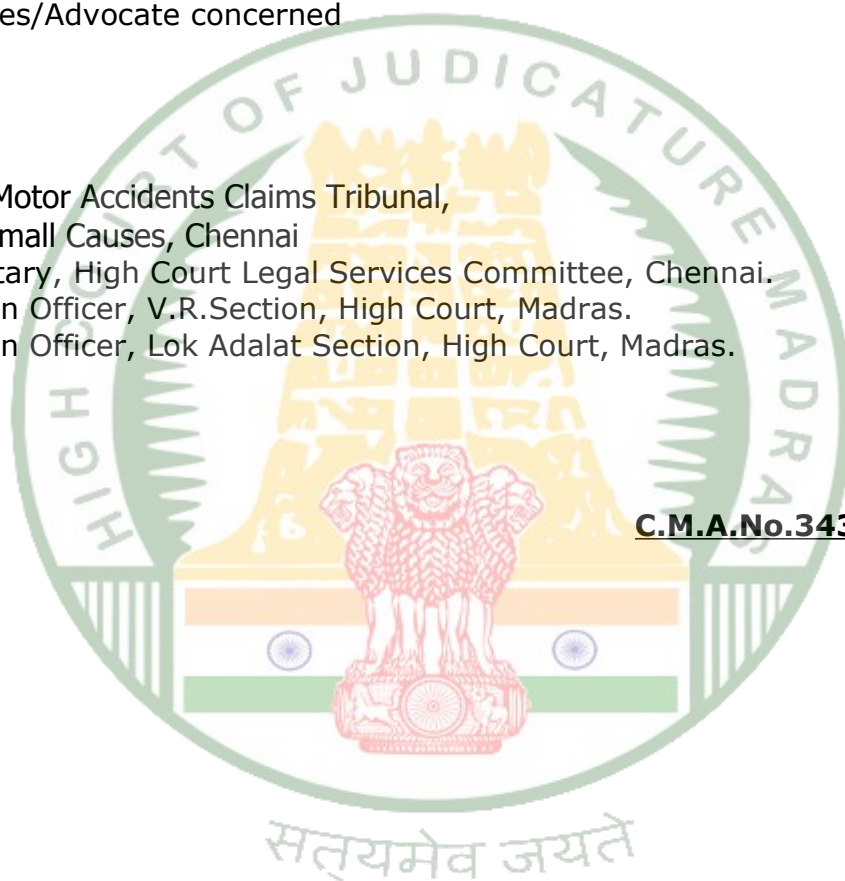
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To:The parties/Advocate concerned

Copy to:

- 1.VI Judge, Motor Accidents Claims Tribunal,
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.

C.M.A.No.3436 of 2014



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08.02.2020