

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

Members

Mr.G.Appasamy, District Judge (Retd.)
Ms.S.Jayakumari

C.M.A.No.670 of 2014

(Appeal against the judgment and decree dated 29.10.2013 made in
M.C.O.P.No.1305 of 2012 on the file of the Motor Accidents Claims Tribunal
(III Small Causes Court, Chennai).

K.Usha

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Appellant

Vs

- 1.G.Shankar
(Was set exparte in the Trial Court)
- 2.M/s.Cholamandalam MS. General Insurance Co. Ltd.,
Dare House, 2nd Floor,
N.S.C. Bose Road,
Chennai – 600 001.

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Respondents

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This case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.T.Senthilvelmurugan, learned counsel for the Appellant and Ms.R.Sreevidhya, learned counsel for the second respondent are present. After mutual discussion, both parties have arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.2,22,000/- with interest at the rate of 7.5% per annum from the date of petition, till the date of deposit and costs as compensation. Not being satisfied with the award passed by the tribunal, the appellant/claimant have preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed to enhance the award of the Tribunal to a sum of Rs.70,000/- (Rupees Seventy thousand only) **in full quit over and above** the award passed by the tribunal.

3. The 2nd respondent/Insurance Company is directed to deposit the entire amount arrived at today in full quit, over and above the award passed by the tribunal, less the amount already deposited, if any, within a period of four weeks, from the date of receipt of a copy of this order. On such deposit being made, the appellant / claimant is entitled to withdraw the same. Award is passed accordingly.

4. The Tribunal is directed to issue the cheque to the party concerned, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition. Accordingly, the Civil Miscellaneous Appeal is disposed of. No costs.

K.Usha

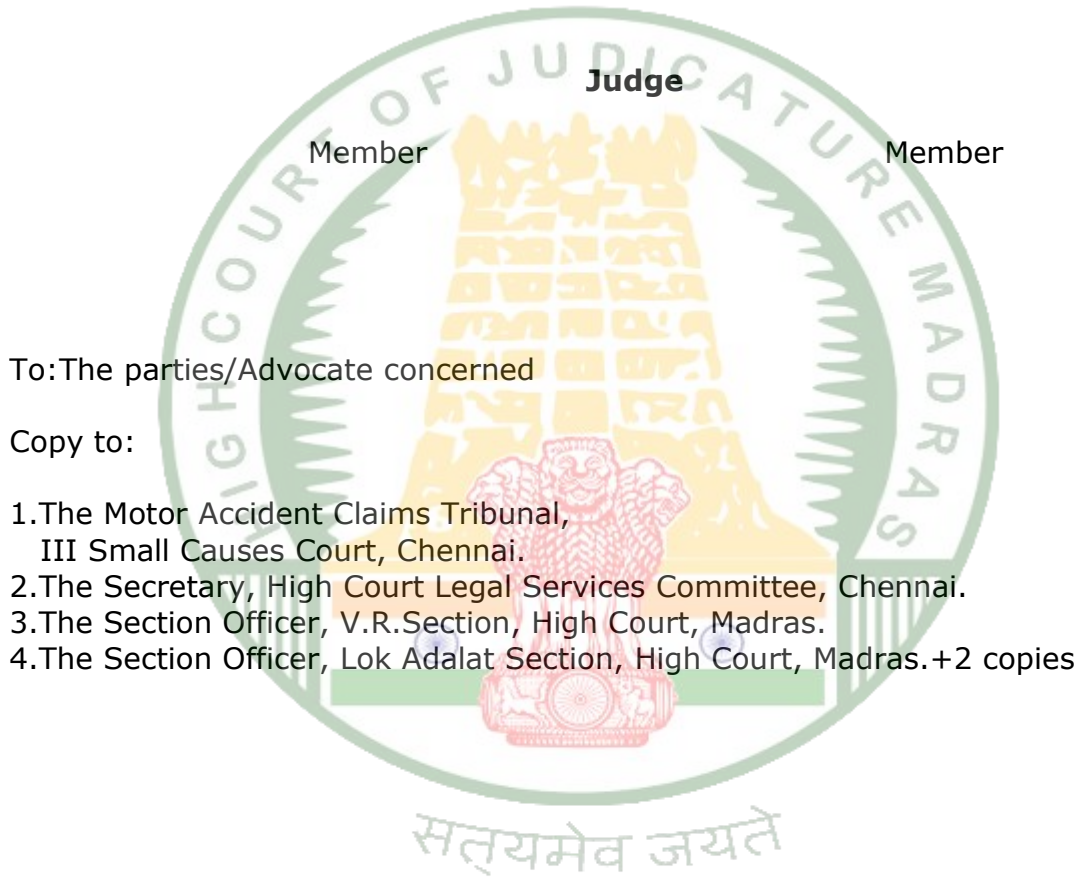
Counsel for the Appellant

M/s.Cholamandalam MS. General Insurance Co. Ltd.,
Dare House, 2nd Floor,
N.S.C. Bose Road,
Chennai – 600 001.

Counsel for the 2nd 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.



To: The parties/Advocate concerned

Copy to:

1. The Motor Accident Claims Tribunal, III 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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M. GOVINDARAJ, J.

rsi



C.M.A.No.670 of 2014

08.02.2020

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