

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.12.2020

CORAM

**THE HONOURABLE MR.JUSTICE RMT.TEEKAA RAMAN**

CRP(PD).Nos.2241, 2243 & 2244 of 2020

P.Kandasamy ... Petitioner in C.R.P.No.2241 of 2020

K.Mani ... Petitioner in C.R.P.No.2243 of 2020

Tmt.K.Meenakshi ... Petitioner in C.R.P.No.2244 of 2020

Versus

1. G.Madasamy

2. R.Baskaran

3. National Insurance Company Ltd.,

No.127, Aruvi Block,

1st Floor, St.Pauls Complex,

Opposite to Head Post Office,

Bharathiar Salai,

Tiruchirapalli.

... Respondents

**COMMON PRAYER:** These Civil Revision Petitions have been filed under Article 227 of the Constitution of India, to set aside the fair and final order passed in C.F.R.Nos. 839, 840 & 841 of 2020 in M.C.O.P.No. 1920 of 2016 dated 07.09.2020 on the file of the M.A.C.T/III Additional District Court, Coimbatore by allowing the present civil revision petition.

For Petitioners : Mr.MA.P.Thangavel  
(in all Civil Revision Petitions)  
For Respondents : Mrs.Sreevidhya,  
for R3.  
(in all Civil Revision Petitions)

**COMMON ORDER**

Heard the learned counsel for the petitioners and Mrs.Srividhya,  
learned counsel the Insurance Company.

2. It is admitted by both the parties that pursuant to the talks of settlement in the Lok Adalat, the apportionment as awarded in the concerned M.C.O.Ps. are reapportioned. Taking into the subsequent development that the injured has been passing the Coma stage for six months and the Medical Expenses is heavy and in order to pay the amount some apportionment between the claimant has been re-scheduled. Mrs.Sreevidhya, learned counsel for the Insurance Company would contend that pursuant to the award entire amount has been deposited and necessary receipt had also been filed. Payment of the application has been made, the learned trial Judge has observed that interest of the minors is at the stage and accordingly rejected the petition. Taking into consideration that reasonable amount has been given to the minors in the award, except

amount awarded to the minors, in respect of others, they were permitted to withdraw in terms of the award.

3. In view of the facts and circumstances of the case, I am not deciding the issue whether by virtue of subsequent award in the Lok Adalat whether the terms of award passed in M.C.O.P. may be modified or not. The question is kept open and accordingly, the trial Court is directed to consider the payment out petition on the above lines. With the above observation, the Civil Revision Petitions are allowed to the limited as indicated above.

23.12.2020

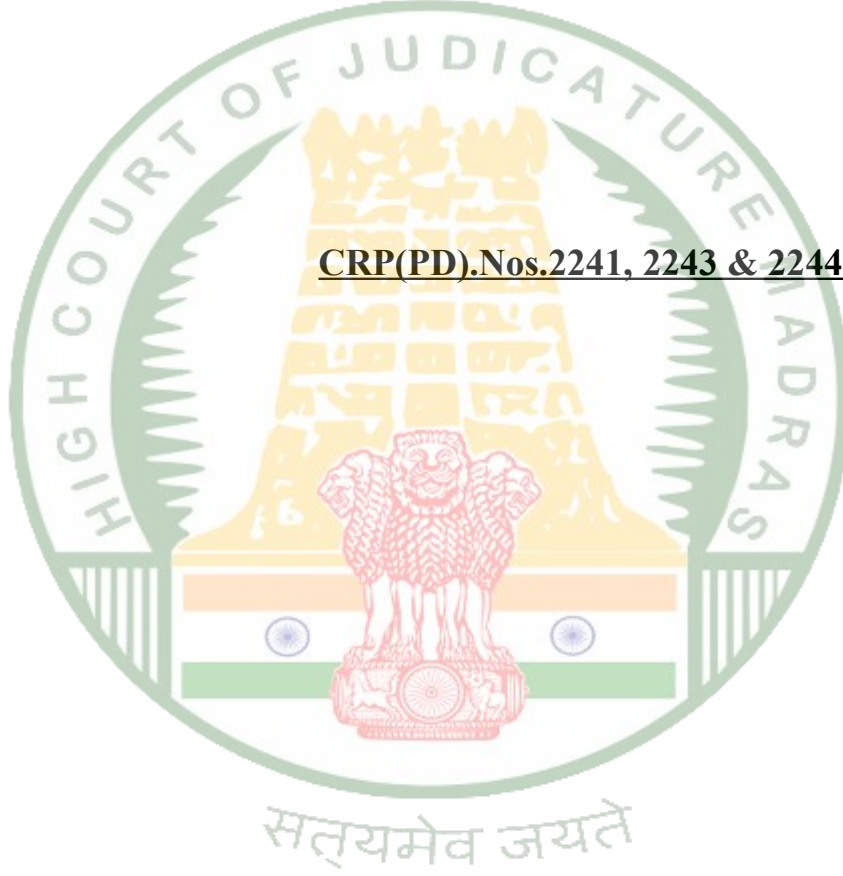
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Speaking Order: Yes/No

To

- 1.The M.A.C.T/III Additional District Court, Coimbatore.
- 2.The Section Officer, VR Section, High Court, Madras.

**RMT.TEEKAA RAMAN., J.**

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