

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

Members

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

C.M.A.No.3301 of 2017

(Appeal against the judgment and decree dated 20.11.2012 made in
M.A.C.T.O.P.No.450 of 2010 on the file of the Motor Accident Claims Tribunal,
/IV Additional District Judge, Bhavani.

National Insurance Company Limited
7, Raja Street, Post Box No.19,
Gobichettypalayam
Erode District.

... Appellant

/versus/

1.D.Sathya
2.N.Madhan
3.T.Gunasekaran

... Respondents

This case is taken up for settlement before this Lok Adalat at the instance of the learned counsel appearing for the parties. Both the parties are present. Mr.K.Padmanabhan, learned counsel for appellant and Mr.S.P.Yuvaraj, 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 Tribunal has awarded a sum of Rs.1,62,460/- with interest at the rate of 7.5 % per annum from the date of petition till the date of deposit. Aggrieved by the said compensation, the 3rd respondent/appellant 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.1,00,000/- (Rupees One Lakh Only) along with interest at the rate of Rs.7.5% per annum from the date of petition till the date of deposit in full quit.

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.C.O.P.No.450 of 2010 on the file of the Motor Accident Claims Tribunal, IV Additional District Court, Bhavani. On such deposit being made, the 1st respondent/claimant is permitted to withdraw the entire award amount.

4. The Tribunal is directed to transfer the above said award amount to the Bank account of the appellant/ 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 Company Limited

Counsel for the Appellant

D.Sathya

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 provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

Judge

Member

Member

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M.DHANDAPANI,J.

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To:The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal,
IV Additional District Court, Bhavani.
- 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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08.02.2020