



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services
Committee

Saturday, the 11th day of December, 2021

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Honourable Mr.Justice M.Thanikachalam (Retd.)

and

Members:

Mr.S.Sambandham, District Judge (Retd.)

Mr.M.Nallathambi , Advocate

C.M.A.No.1765 of 2020

(Appeal against the judgment and decree passed by the Motor
Accidents Claims Tribunal, (Special Subordinate Court), Cuddalore in
M.C.O.P.No.2035 of 2016 dated 04.09.2019)

M/s.Bajaj Allianz General
Insurance Company Limited
'Isana Kattima Building', 5th Floor
No.497/498, Poonamallee High Road,
Arumbakkam,
Chennai – 600 106.

... Appellant

/versus/

1.Pandurangan

2.Kalaivani

3.The Correspondent
Thiruvallur Matriculation Higher
Secondary School
No.1, Raman Street,
Vezhamangalam
Panruti Taluk – 607 106.

.. Respondents

Both the parties are present. Mr.J.Michael Visuvasam, learned



counsel for appellant and Ms.Ramya V. Rao, learned counsel for the respondents 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

This Appeal has been filed by the insurance company against the award passed by the lower Court.

2. The Quantum of Compensation awarded by the Tribunal is **Rs.10,90,000/-** with interest at **7.5%** per annum from the date of petition till the date of deposit as compensation.

3. As represented by the Insurance Company, the mandatory deposit of Rs.25,000/- has already been paid and it is also represented that while obtaining stay, a sum of Rs.6,47,350/- was deposited. Thus, the total amount of Rs.6,72,350/- has already been deposited.

4. The parties have represented before us that as per the joint memorandum of compromise, they have settled the matter for a further sum of Rs.5,00,000/- in addition to the amount already deposited as stated above. Thus, the total amount to be awarded is Rs.11,72,350/- and the Insurance Company is directed to deposit the balance amount of Rs.5,00,000/- within four weeks from the date of receipt of a copy of this order.

5. On such deposit, the claimants are permitted to withdraw the same without filing formal application. Award is passed accordingly.

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 petitions, if any, are closed.

M/s.Bajaj Allianz General
Insurance Company Limited



Isana Kattima Building', 5th Floor
No.497/498, Poonamallee High Road,
Arumbakkam,
Chennai – 600 106.

Counsel for the Appellant

1.Pandurangan

2.Kalaivani

3.The Correspondent
Thiruvallur Matriculation Higher
Secondary School
No.1, Raman Street,
Vezhamangalam
Panruti Taluk – 607 106.

Counsel for the Respondents

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

The full Court fee paid shall be refunded to the plaintiff 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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To: The parties/Advocate concerned

Copy to:

1. The Secretary, High Court Legal Services Committee, Chennai.
2. The Section Officer, V.R. Section, High Court, Madras.
3. The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies



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M.Thanikachalam, J (Retd.)

nsd

C.M.A.No.1765 of 2020

11.12.2021