

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 10th day of April, 2021

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE MALAI SUBRAMANIAN (Retd.)
and

Members

Mr.A.MANIVASAKAN

Mr.S.KRISHNAPRASAD

CMA No.286 of 2021

(Appeal against the Judgment and decree passed on 24.01.2020 in M.C.O.P.No.117 of 2019 on the file of the Motor Accidents Claims Tribunal, District Court, Karaikal.

The Managing Director
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Railway Station Road
Kumbakonam

...Appellant

Vs.

1. Saranya Devi
W/o.Iyyappan
2. Packrisamy
S/o.Ramakrishnan
3. Chezhiyan
S/o.Aranganathan

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.D.Raghu, learned counsel for appellant/Transport Corporation and Mr.S.V.Karthikeyan, 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

The Tribunal has awarded a sum of Rs.26,90,240/- with interest at 7.5% per annum from the date of petition till the date of decree and costs as compensation. Aggrieved by the award of the Tribunal, the appellant / Transport Corporation had preferred the present appeal.

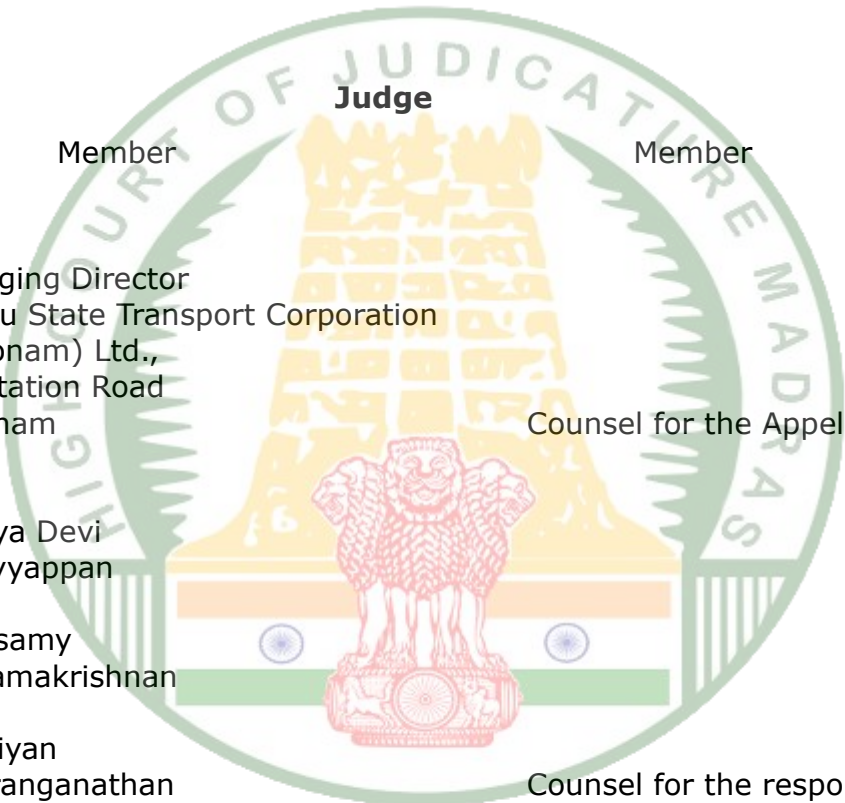
2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) in full quit (inclusive of interest and TDS) as compensation.

3. The appellant / Transport Corporation is directed to deposit the above said modified award amount of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of a copy of this award. On such deposit, the first claimant is permitted to withdraw the amount of Rs.17,00,000/- (Rupees Seventeen Lakhs Only), second claimant is permitted to withdraw the amount of Rs.2,50,000/- (Rupees Two Lakh and Fifty Thousand Only) and minor child of the first claimant is entitled to a sum of Rs.5,50,000/- (Rupees Five Lakhs and Fifty Thousand Only), which shall be invested in anyone of the nationalised Banks in re-investment scheme till the child attains majority. On attaining the age of majority, the minor is permitted to withdraw the same on production of age proof certificate before the Tribunal. The first claimant/mother is entitled to withdraw the interest accrued once in three months. Award is passed accordingly.

4. The Tribunal is directed to transfer the amount through RTGS/NEFT 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. The connected miscellaneous petition is closed, if any.

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.



The seal of the High Court of Judicature Madras is a circular emblem. It features a central yellow temple gopuram (tower) with a red lion capital of Ashoka in front of it. The gopuram is flanked by two green palm trees. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a green arc around the top. At the bottom, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in green.

Judge

Member

Member

The Managing Director
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Railway Station Road
Kumbakonam

Counsel for the Appellant

1. Saranya Devi
W/o.Iyyappan
2. Packrisamy
S/o.Ramakrishnan
3. Chezhiyan
S/o.Aranganathan

Counsel for the respondents

Enclosure : Joint Memo

To:

The parties/Advocate concerned

Copy to:

1. MACT/District Court, Karaikal.
- 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

mk/ms

MALAI SUBRAMANIAN,J. (Retd.)

mk



CMA No.286 of 2021

WEB COPY

10.04.2021