

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat-I organised by the High Court Legal Services
Committee

Saturday, the 11th day of September, 2021

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE MALAISUBRAMANIAN (Retd.)
and

Members

1. Mr.K.Balasubramanian
2. Mrs.V.J.Latha

C.M.A.No.1503 of 2018

and

C.M.P.No.11978 of 2018

(This Civil Miscellaneous Appeal is filed against the decree and judgment dated 20.04.2016 made in M.C.O.P.No.1803 of 2014 on the file of Motor Accident Claims Tribunal, II Additional District and Sessions Court, Salem).

Reliance General Insurance Company Ltd.,
No.15, PLA Kanagu Towers,
2nd Floor, 15-A, Thillai Nagar Main Road,
Tiruchirapalli – 620 018.

.. Appellant

Vs.

- 1.Vanitha
- 2.Minor Gowsika
- 3.Minor Naveen
- 4.Perumayee
- 2 & 3 minors rep by their
Mother Vanitha
- 5.M.Janaki

.. Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. The learned counsel for the appellant Mr.S.Arun Kumar and M.L.Ganesh and the learned counsel for the respondents Mr.R.Chakkaravarthy 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.17,47,000/- with interest at 7.5% per annum from the date of petition till the date of realization. It is represented by the learned counsel for the appellant/Insurance Company that the entire amount along with interest and cost has already been deposited before the Tribunal.

2. After due deliberation and conciliation, both the parties have agreed to modify the award to a sum of Rs.20,00,000/- (Rupees Twenty Lakhs only) in full quit.

3. The modified amount shall be apportioned among the claimants / respondents 1 to 4 as follows:-

Vanitha	-	Rs.6,00,000/-
Gowsika	-	Rs.6,00,000/-
Minor Naveen	-	Rs.6,00,000/-
Perumayee	-	Rs.2,00,000/-

4. The share of the third respondent shall be deposited in any one of the nationalised banks in re-investment scheme in the name of minor respondent till he attains majority. On attaining the age of majority, he is permitted to withdraw the award amount on production of age proof certificate before the Tribunal.

5. Since the second respondent has now become major, the respondents 1,2 and 4 are permitted to withdraw their above mentioned

shares without filing any formal petition. After satisfaction of the decree, the balance amount lying in the deposit shall be refunded to the Insurance Company. The award is passed accordingly.

6. 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 are closed, if any.

Reliance General Insurance Company Ltd.,
No.15, PLA Kanagu Towers,
2nd Floor, 15-A, Thillai Nagar Main Road,
Tiruchirapalli – 620 018

Counsel for the Appellant

1.Vanitha

2.Gowsika

3.Minor Naveen
minor rep. by his Mother Vanitha

4.Perumayee

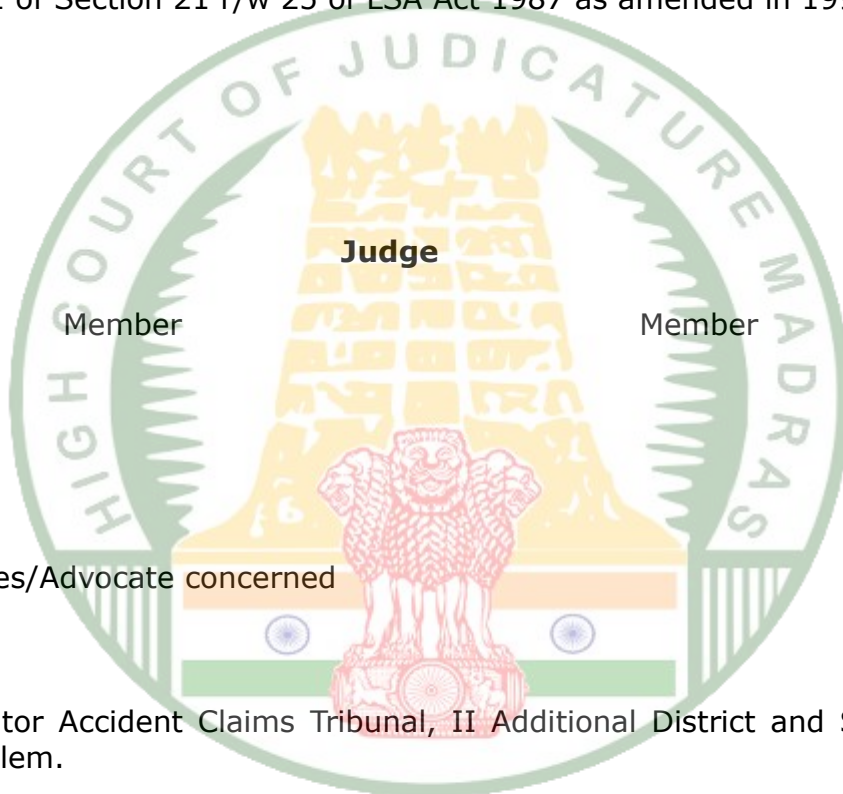
Counsel for respondent Nos.1 to 4

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

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MALAISUBRAMANIAN, J.(Retd.)
rsi

The 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, II Additional District and Sessions Court, Salem.
- 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.

rsi

C.M.A.No.1503 of 2018

11.09.2021