

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 Nos.1931 of 2020 & 1030 of 2021

(Appeals against the common Judgment and decree passed on 26.02.2019 in M.C.O.P.No.3999 of 2016 on the file of the Motor Accidents Claims Tribunal, Special Sub-Judge, Cuddalore)

1. A.Tamilzhmozi

2. A.Roja

3. A.Raja

...Appellants in CMA.No.1931/2020
respondents in CMA No.1030/2021

Vs.

1. B.Jayadevan

... 1st respondent in CMA.No.1931/2020
4th respondent in CMA No.1030/2021

2. The Divisional Manager
The National Insurance Co. Ltd.,
Do.110 JN Street
Puducherry 605 001.

...2nd respondent in CMA No.1931/2020
appellant in CMA No.1030/2021

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Ms.Ramya V.Rao, learned counsel for appellants in CMA.No.1931/2020 and respondents in CMA No.1030/2021 and

Mr.S.Vadivel, learned counsel for the 2nd respondent in CMA No.1931/2020 appellant in CMA No.1030/2021 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

CMA.No.1931 of 2021 has been preferred by appellants/claimants seeking enhancement. CMA No.1030 of 2021 has been preferred by the Insurance Company challenging the award of the Tribunal.

2. Since the issue involved in both these appeals are arising out of the common judgement made in MCOP No.3999/2016 on the file of the Motor Accidents Claims Tribunal, Special Sub-Judge, Cuddalore, they are taken up together for disposal.

3. The Tribunal has awarded a sum of Rs.10,90,625/- with interest at 7.5% per annum from the date of petition till the date of decree and costs as compensation.

4. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) in full quit (inclusive of interest) as compensation.

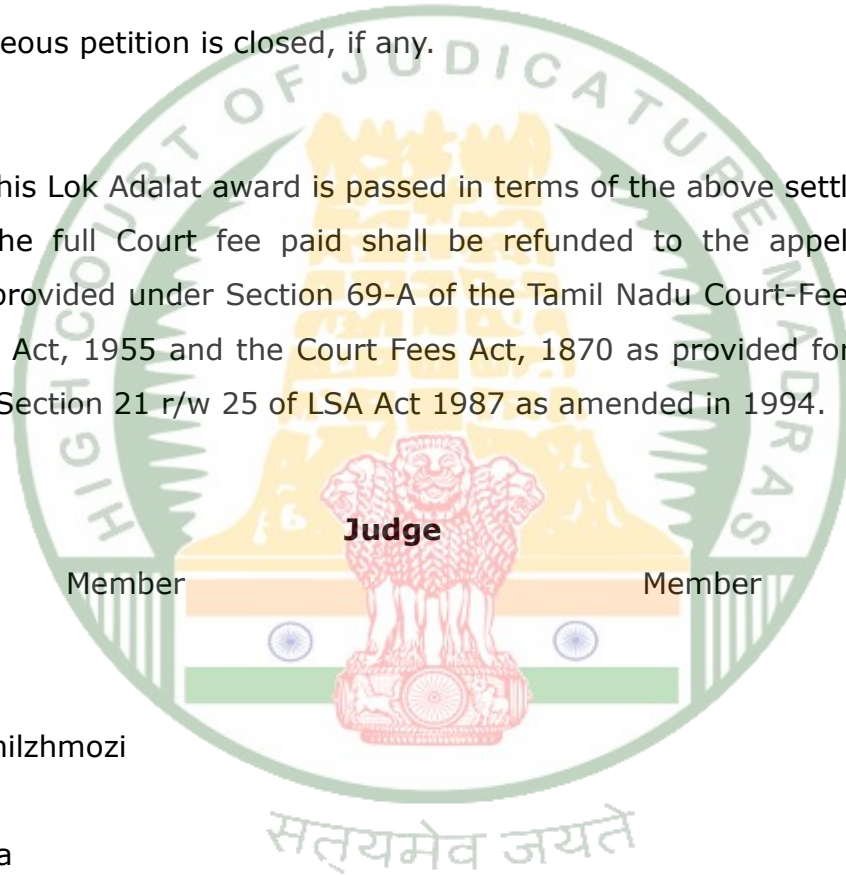
5. The Insurance Company is directed to deposit the above said modified award amount of Rs.15,00,000/- (Rupees Fifteen Lakhs only), after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of a copy of this award. On such deposit, the appellants/claimants are permitted to withdraw the modified amount as per the apportionment made by the Tribunal without filing any formal petition.

Award is passed accordingly.

6. 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.



1. A.Tamilzhmozi

2. A.Roja

3. A.Raja Counsel for the Appellants

The Divisional Manager
The National Insurance Co. Ltd.,
Do.110 JN Street
Puducherry 605 001.

Counsel for the respondent

MALAI SUBRAMANIAN,J. (Retd.)

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To:
The parties/Advocate concerned

Copy to:

- 1.Motor Accidents Claims Tribunal, Special Sub-Judge, Cuddalore
- 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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CMA Nos.1931 of 2020 & 1013 of 2021

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