

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat – II organised by the High Court Legal Services committee
Tuesday, the 7th 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 M.Thanikachalam (Retd)

Member

Mr.M.Sambasivam, District Judge, Retd

C.M.A.No.1828 of 2021

Appeal against the judgment and decree dated 19.03.2020 made in
M.C.O.P.No.5734 of 2011 on the file of the Motor Accident Claims
Tribunal, V Judge, Court of Small Causes at Chennai.

1.A.Fathimuthu
2.M.Noorunisha

.. Appellants

Vs.

1. H.Vengadakrishnan

2. Bajaj Allianz General Insurance Company Ltd.,
C/o.Motor III Party Claims Office
25/26 College Road, Chennai – 600 006.

.. Respondents

This case came up for settlement before the Lok Adalat. Both
parties are present. Mr.T.G.Balachandran, learned counsel for the
appellants and Mr.R.V.Sivaraj, learned counsel for the second respondent

is 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 1st petitioner's husband and the father of the appellant / 2nd petitioner died in a road accident for which the mother and the daughter quantifying the compensation at Rs.20,00,000/- filed the claim petition. After contest the Tribunal awarded a sum of Rs.9,60,000/- with interest there on whereby negating some claim of appellants. In this enhancing amount, the amount claimed is Rs.7,00,000/-.

2. When the matter is pending before the Hon'ble High Court, the parties have negotiated the matter reached their extent under which the claimants have agreed to settle the matter for Rs.5,75,000/- in full quit for which the Insurance company accepted and incorporated all the above facts in the memo which has been filed and signed by both the parties agreed before me and recorded.

3. Pursuant to the compromise reached and as per the joint memo filed by the parties, the award of the Lower Court is modified as follows. The Insurance company is directed to pay an additional enhanced amount of Rs.5,75,000/- in full quit of the claim over and above the awarded amount already deposited. The parties are directed to apportioned the

enhanced compensation equally.

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.

1.A.Fathimuthu

2.M.Noorunisha

Counsel for the Appellants

Bajaj Allianz General Insurance Company Ltd.,
C/o.Motor III Party Claims Office
25/26 College Road,
Chennai – 600 006.

Counsel for the 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 2 r/w 25 of LSA Act 1987 as amended in 1994.

Judge

Member

M.Thanikachalam, J.(Retd)

drl

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
V Judge, Court of Small Causes at Chennai.
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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