



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.4057 of 2019

(Appeal against the judgment and decree passed by the Motor
Accidents Claims Tribunal, (Subordinate Court), Sankari, in
M.C.O.P.No.461 of 2015 dated 28.09.2018)

1.Parimalam

2.Manimekalai

... Appellants

/versus/

The Managing Director,
Tamil Nadu State Transport
Corporation Ltd.,
Salem Branch, Sankari.

.. Respondent

Both the parties are present. Mr.T.S.Arthanareeswaran,
learned counsel for appellants and Mr.L.Ramanathan, learned counsel
representing Mr.D.Venkatachalam, learned counsel on record for the
respondent 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 claimants against the award passed by the lower Court.

2. [M.C.O.P.No.461](#) of 2015 aimed for a claim of Rs.25,00,000/- as compensation for the death of the first appellant's husband, who is the father of the 2nd appellant.

3. After trial, the tribunal awarded a sum of Rs.18,70,000/- as compensation, aggrieved by which, the claimants have preferred the present appeal.

4. The respondent/Transport Corporation, who was directed to pay the said amount, impugned the same by preferring [C.M.A.No.333](#) of 2020, which is pending, but, unfortunately, the same has not been listed before the Lok-Adalat today.

5. The parties are present along with their respective counsel and they have stated that the matter has been settled in terms of the joint memorandum of compromise.

6. As per the joint memorandum of compromise, the Transport Corporation has already deposited a sum of Rs.9,35,000/- with interest, which totally comes to a sum of Rs.11,83,720/- on stay being given. Now, both the parties have agreed for a sum of Rs.14,80,000/- with interest at 7.5% with costs from the date of filing of the petition. The Transport Corporation is directed to deposit the balance amount within eight weeks from the date of receipt of a copy of this order. The appellants shall share the amount in equal quantity.

7. On such deposit, the claimants are permitted to withdraw the entire amount without filing formal application. Award is passed accordingly. The joint memorandum of compromise shall form part of the order.

8. [C.M.A.333](#) of 2020 does not survive, since the Transport Corporation, which challenged the award of the tribunal has settled the matter in terms of the joint memorandum of compromise. The Transport Corporation is advised to produce this order in [C.M.A.No.333](#) of 2020 before the regular Court.

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.

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1.Parimalam

2.Manimekalai

Counsel for the Appellants

The Managing Director,
Tamil Nadu State Transport
Corporation Ltd.,
Salem Branch, Sankari.

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 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



To: The parties/Advocate concerned

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Copy to:

1. Motor Accidents Claims Tribunal, (Subordinate Court), Sankari.
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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M.Thanikachalam, J (Retd.)

nsd

C.M.A.No.4057 of 2019

11.12.2021