

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

Saturday, the 11th day of September, 2021

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Honourable Mr. Justice M. Thanikachalam

and

Members:

Mr. M. Sambasivam
Mr. K. Ethirajalu

C.M.A.No.1783 of 2020

(Appeal against the judgment and decree passed by the Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Krishnagiri, in M.C.O.P.No.52 of 2016 dated 24.10.2019).

Bajaj Allianz General Insurance Co., Ltd.,
GE Plaza, Airport Road,
Yerwada, Pune-411 006.

...Appellant

/versus/

1. B.V. Murugan
S/o. S.C. Vadigi Chetty

2. M.H. Mohamed Ali
S/o. M. Hussain

(R2 has been set ex parte)

सत्यमेव जयते ... Respondents

This case is taken up for settlement before this Lok Adalat. Mr. R.V. Shivaraj, learned counsel for appellant and Mr. G. Veeraraghavan, counsel for the first respondent are present.

AWARD

This appeal is filed by the Insurance Company challenging the quantum awarded by the Tribunal.

2. The first respondent/claimant has sustained injuries in his leg in a motor, for which he filed M.C.O.P.No.52 of 2016 seeking compensation in a sum of Rs.10,00,000/-.

The tribunal awarded a sum of Rs.2,72,399/- with interest thereon. Aggrieved by that order, the Insurance Company has filed the present appeal.

3. Considering the nature of injuries suffered by the claimant, both the parties, instead of fighting the case for years together, will settle the matter, which will be more beneficial for both. In view of this, the Insurance company offered to pay a sum of Rs.3,14,550/- towards full quit, out of which a sum of Rs.1,79,550/- has already been paid. Hence, the Insurance Company is directed to pay the balance amount Rs.1,35,000/- within a period of three weeks from the date of receipt of a copy of this order. The claimant is entitled to withdraw the above said amount by filing a separate application.

The Civil Miscellaneous Appeal is settled accordingly. Consequently, connected miscellaneous petition, if any, is closed. No costs.

Bajaj Allianz General Insurance Co.,Ltd.,
GE Plaza, Airport Road,
Yerwada, Pune-411 006.

Counsel for Appellant

B.V.Murugan
S/o.S.C.Vadigi Chetty

Counsel for the 1st respondent

This Lok Adalat award is passed as above.

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.

Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

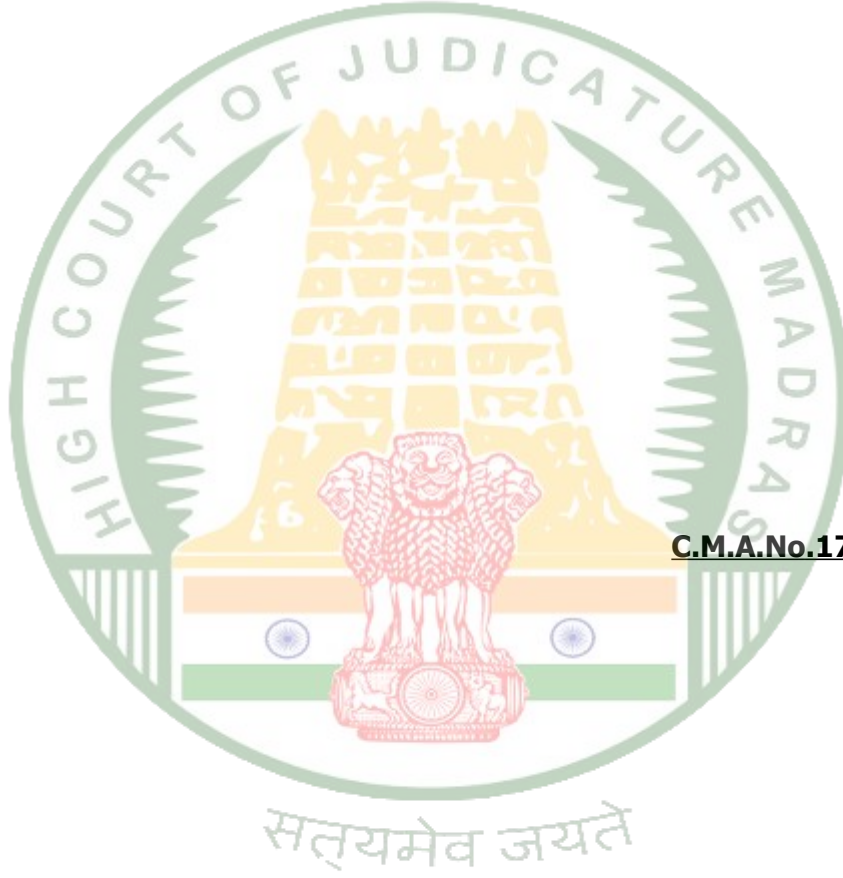
1. The Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Krishnagiri.
2. The Secretary, High Court Legal Services Committee, Chennai.
3. The Section Officer, V.R. Section, High Court, Madras.
4. The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies



WEB COPY

M.Thanikachalam, J [Retd.]

gm/kas/ep



C.M.A.No.1783 of 2020

WEB COPY

11.09.2021