

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.3583 of 2014

(Appeal against the judgment and decree passed by the Motor Accidents Claims Tribunal, (III Judge, Court of Small Causes) at Chennai in M.C.O.P.No.3452 of 2012 dated 25.07.2014).

B. Saran Raj
S/o. Balasundaram

... Appellant

/versus/

1. V. Ambika
(was set *ex parte* in the trial Court
and hence, notice may be dispensed with)

2. Bajaj Alliance General Insurance Co. Ltd.
No. 25 / 26, College Road
Nungambakkam, Chennai 34.

... Respondents

This case is taken up for settlement before this Lok Adalat. Mr. Varadha Kamaraj, learned counsel for appellant and Mr. T.K. Prem Kumar, counsel for the Bajaj Alliance General Insurance Co. Ltd., are present.

AWARD

This appeal is filed by the claimant for the enhancement of the compensation.

2. When the matter is pending, compromised reached between the parties and the Insurance Company has agreed to pay over and above the compensation already granted to the extent of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only). It is

already represented by the counsel that the parties have also agreed and accordingly the Joint Memo of Compromise, filed by both the parties, is recorded.

3. Accordingly, the lower Court award is modified and the award amount is enhanced by Rs.1,50,000/-, in full quit, over and above the award amount, without any interest to the appellant.

4. The Insurance company is directed to deposit the enhanced award amount within a period of three months from the date of receipt of a copy of this order and on deposit of the amount, the claimant is entitled to withdraw the amount.

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

B.Saran Raj
S/o.Balasundaram

Counsel for appellant

Bajaj Alliance General Insurance Co. Ltd.
No.25 / 26, College Road
Nungambakkam, Chennai 34.

Counsel for the 2nd 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.

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Judge
Member Member

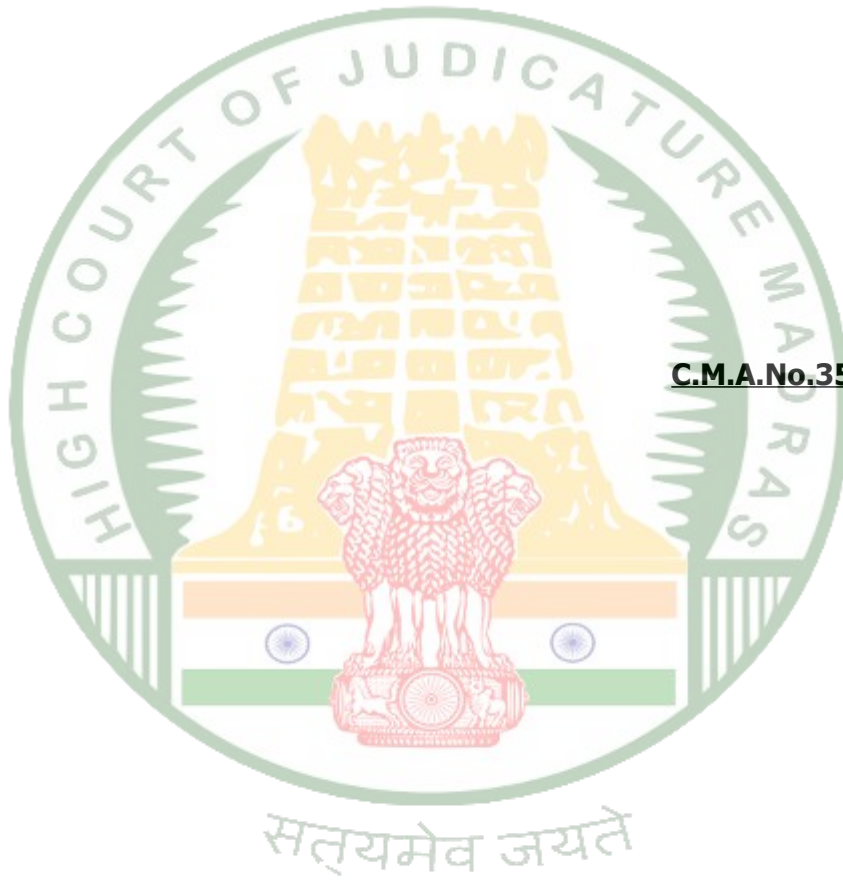
To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, III Judge, Court of Small Causes, 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

M.Thanikachalam, J [Retd.]

gm/kas



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11.09.2021