



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 Hon'ble Mr.JUSTICE M.JEYAPPAUL (Retd.)

and

Members

Mr. K.Ramakrishnan, District Judge (Retd.)

Dr. M.Damodaran

CMA. No.2900 of 2021

(Appeal against the judgment and decree passed on 30.07.2021 made in M.C.O.P.No.536 of 2016 on the file of the Motor Accidents Claims Tribunal, I- Additional District and Sessions Court, Cuddalore.)

1.Malarkodi

2.Minor Navinkumar

3.Minor Saravanan

.. Appellants

Vs.

1.G.Balamurugan

2.Chief Manager,

Tata AIG General Insurance Co. Ltd,

2nd Floor, Samson Towers,

Pantheon Road, Egmore,

Chennai – 600 008.

.. Respondents

This case came up for settlement before the National Lok Adalat. Both



parties are present. The learned counsel for the appellants Ms.Ramya V. Rao, and Mr.K.Vinod, learned counsel for the 2nd 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

The appellants and their counsel as well as the representative of the 2nd respondent were present. Notice was issued to the first respondent. The first respondent refused to receive the notice and he has chosen to remain exparte.

2. The Lok Adalat entered upon Mediation and Conciliation with the parties present before it.

3. The Tribunal awarded a sum of Rs.11,40,052/- towards compensation and interest thereon at the rate of 7.5% per annum from the date of the petition till the date of payment.

4. Now the 2nd respondent/Insurance Company is prepared to pay an additional sum of Rs.4,50,000/- (Rupees Four Lakhs and Fifty Thousand only) in full quit, in addition to the amount of Rs.11,40,052/- with interest and costs awarded by the Tribunal. The appellants also agreed to receive additional sum of Rs.4,50,000/- in full quit, in addition to the amount already awarded and deposited by the 2nd respondent of the claim made by the appellants.

5. In the above facts and circumstances, this Civil Miscellaneous Appeal



stands disposed of with a direction to the 2nd respondent to deposit a sum of Rs.4,50,000/- in full quit, in addition to the amount of Rs.11,40,052/- already deposited with accrued interest, within a period of three (3) months from the date of receipt of copy of this order. As far as the 2nd and 3rd respondents/minors are concerned, they are entitled to take the apportioned amount as ordered by the Tribunal once they attain majority. The first appellant is entitled to withdraw her share from the said amount deposited by the 2nd respondent from the Tribunal. The 2nd respondent is liable to pay the compensation and recover the same from the first respondent as ordered by the Tribunal.

1.Malarkodi/1st Appellant

2.Minor Navinkumar/2nd Appellant

3.Minor Saravanan/3rd Appellant

Counsel for the Appellant

G.Balamurugan/1st respondent

Representative of the 2nd respondent

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the appellant in the manner



provided under 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, I- Additional District and Sessions Court, 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

M.JEYAPPAUL, J. (Retd.)



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11.12.2021