



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.3196 of 2017

(Appeal against the judgment and decree passed by the Motor Accidents Claims Tribunal, Special Subordinate Court, Cuddalore in M.C.O.P.No.648 of 2015 dated 28.04.2017).

The Divisional Manager,
M/s.Bajaj Allianz General Ins. Co. Ltd.,
No.25/26, Prince Towers, 4th Floor,
College Road, Nungambakkam,
Coimbatore 600 034.

... Appellant

/versus/

1.S.Velmurugan

2.N.Krishnamoorthy

... Respondents

Both the parties are present. Mr.N.Vijayaraghavan, learned counsel for appellants and Mr.S.Udayakumar, learned counsel for the 1st respondent are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a



compromise to settle the matter as follows:

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TERMS OF SETTLEMENT

The above Civil Miscellaneous Appeal is filed, challenging the award passed by the Special Subordinate Court, Cuddalore in M.C.O.P.No.648 of 2015 dated 28.04.2017.

The claimant viz., Velmurugan, who sustained some injuries in the road accident approached the Tribunal for a compensation of Rs.10,00,000/-, which ended in an award of Rs.2,29,800/-, giving grievance and cause of action to the Insurance Company to prefer this Appeal.

When the matter is pending, the parties reached to an amicable settlement by consent, in which the Insurance Company agreed to pay a sum of Rs.2,50,000/- to the claimant as compensation.

When the Appeal was filed, the Insurance Company deposited a sum of Rs.25,000/- as mandatory deposit. In addition, the Insurance Company deposited a sum of Rs.2,62,652/-, in compliance of stay order, totally a sum of Rs.2,87,652/- deposited by the Insurance Company. Out of the total deposit amount, the claimant viz., Velmurugan is entitled to withdraw a sum of Rs.2,50,000/- with total accrued interest, if any, for the entire deposit of Rs.2,87,652/- and the balance sum of Rs.37,652/- shall be returned to the Insurance Company. The award is modified as above. On application the trial Court is directed to pass appropriate orders, permitting the claimant to withdraw the award amount as per the modified order passed by us. Consequently, the connected MPs, if any, is also closed.



The Divisional Manager,
M/s.Bajaj Allianz General Ins. Co. Ltd.,
No.25/26, Prince Towers, 4th Floor,
College Road, Nungambakkam,
Coimbatore 600 034.

Counsel for the appellant

S.Velmurugan
respondent

Counsel for the 1st

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 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, Special Subordinate 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



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M.Thanikachalam, J (Retd.)

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C.M.A.No.3196 of 2017

Dated: 11.12.2021