



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 12th day of March, 2022**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. G. Dharmaraj, District Judge [Retd.]

Mr. V. Murali

C.M.A.No.1071 of 2020

(Appeal against the judgment and decree passed by the Motor Accidents Claims Tribunal, Special Subordinate Judge, Krishnagiri, in M.C.O.P.No.440 of 2017 dated 27.08.2019).

M/s. Iffco Tokio General Insurance Company Limited,
No.43/3, 1st Floor, 100 Feet Road,
Mudaliarpet, Puducherry.

... Appellant

/versus/

1. Maria Alexander

2. A. David

... Respondents

This case is taken up for settlement before this Lok Adalat. Mr. E. Rajadurai for M/s. M. B. Gopalan Associates, learned counsel for appellant and Mr. J. Pradeep, learned counsel for the first respondent, are present.

AWARD

The claimant having sustained some injuries in a road accident approached the Motor Accident Claims Tribunal claiming a sum of Rs.20,00,000/- as compensation. The Tribunal passed an award for Rs.6,39,022/- which was considered to be on the higher side by the Insurance Company, resulting in this appeal.



2. The case is of the year 2017 and it has not not reached the final result.

Therefore, considering the nature of the injury, long pendency and to give benefits to both parties, they sat together, discussed and reached a settlement in which the Insurance Company has agreed to pay a sum of Rs.4,21,761/- [Rupees Four Lakhs Twenty One Thousand Seven Hundred and Sixty One] with interest thereon from the date of petition till the date of payment, which is accepted by the claimant also on enquiry before me. The above stated claim was accepted and in this view, the award has to be modified.

3. As represented by the Insurance Company, they have deposited a sum of Rs.3,19,511/- and they are liable to pay only the balance of Rs.1,02,250/- [Rupees One Lakh Two Thousand Two Hundred and Fifty only] along with interest within a period of four weeks from the date of receipt of a copy of this order. The claimant is entitled to withdraw the amount deposited with accrued interest.

The award is modified accordingly. No costs.

M/s.Iffco Tokio General Insurance Company Limited,
No.43/3, 1st Floor, 100 Feet Road,
Mudaliarpet, Puducherry.

Counsel for Appellant

/versus/

Maria Alexander

Counsel for the first 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, Special Subordinate Judge, 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



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M.Thanikachalam, J [Retd.]

gpa/gm/mp

C.M.A.No.1071 of 2020

12.03.2022