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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat – I organised by the High Court Legal Services committee
Thursday, the 17th day of November, 2022

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE S.K.KRISHNAN(Retd.)
and

Member

Mr.G.Dhanaraj, District Judge, Retd.

C.M.A.Nos.1283 & 2774 of 2021
and CMP.No.6574 of 2021

Appeals against the decree and judgment dated 09.03.2020 made
in M.C.O.P.No.3133 of 2015 on the file of Motor Accidents Claims
Tribunal, Special Sub Court No. II, Chennai.

The Branch Manager,
Reliance General Insurance Company Limited,
Legal Department, Reliance House,
No.6, 6th floor, Haddows Road,
Nungambakkam, Chennai – 600 006.

.. Appellant
in CMA.No.1283 of 2021
and second respondent in
CMA.No.2774 of 2021

Vs.

1.S.Chandira

C.Sivagurunathan (died)

.. Respondents in
CMA.No.1283 of 2021
and Appellants in
CMA.No.2774 of 2021

2.M/s.Ramkay Enviro Engineers Ltd.,
No.138, Chennikuppam Village,
Sriperumbudur Taluk,
Kanchipuram District.
(2nd respondent remained
exparte before the Tribunal)

.. 2nd Respondent in
CMA.No.1283 of 2021 and
1st Respondent in
CMA.No.2774 of 2021



This case came up for settlement before the Lok Adalat. Mrs.C.Bhuvanasundari, learned counsel for the Appellants in CMA.No.1283 of 2021 / 2nd respondent in CMA.No.2774 of 2021, Mr.R.Annamalai, learned counsel for the respondents in CMA.No.1283 of 2021 / Appellants in CMA.No.2774 of 2021 and Mr.G.B.Saravanabhavan, Area Manager (Legal), Reliance General Insurance Company Limited 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 Tribunal has awarded a sum of Rs.17,33,200/- with interest at 7.5% per annum from the date of petition till the date of deposit and costs as compensation. It is represented by the appellant /Insurance Company in C.M.A.No.1283 of 2021 that they had already deposited a sum of Rs.25,49,837/- inclusive of interest and cost before the Tribunal.

2. Aggrieved by the award of the Tribunal, the Insurance Company as well as the Claimants had filed these appeals one for reducing the claim amount and the other for enhancing the claim amount.

3. After due deliberation and consultation, both the parties have



agreed to modify the award to a sum of Rs.30,00,000/- (Rupees Thirty Lakhs only) in full quit, including the awarded amount already deposited a sum Rs.25,49,837/- before the Tribunal.

4. In view of considering the fact that the Insurance company has already deposited a sum of Rs.25,49,837/- before the Tribunal. In addition to that the Insurance company is directed to deposit the modified balance amount of Rs.4,50,163, within a period of six weeks from the date of receipt of a copy of this order.

5. On such deposit, the claimant is permitted to withdraw the modified award amount of Rs.30,00,000/- in full quit, without filing any formal petition. Award is passed accordingly.

6. The Tribunal is directed to transfer the amount through RTGS/NEFT to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

7. In view of the settlement arrived at between both the parties, the appeal in CMA No.1283 of 2021 is dismissed and the appeal in C.M.A.No.2774 of 2021 is disposed of. Consequently, connected Miscellaneous Petition is closed.



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The Branch Manager,
Reliance General Insurance Company Limited,
Legal Department, Reliance House,
No.6, 6th floor, Haddows Road,
Nungambakkam, Chennai – 600 006.
Appellant

Counsel for the

S.Chandira

Counsel for the Respondent

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 2 r/w 25 of LSA Act 1987 as amended in 1994.



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Judge

Member

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
Special Sub Court No.II, 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
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S.K.KRISHNAN, J.(Retd)

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**C.M.A.Nos.1283 & 2774 of 2021
and
CMP.No.6574 of 202**

17.11.2022



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