



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2022

CORAM:

THE HON'BLE MR.JUSTICE M.GOVINDARAJ

WP NO.13616 OF 2013

MP NO.1 OF 2014

S.Bala Janaki

... Petitioner

Vs.

The Manager
United India Insurance Co. Ltd.,
Motor Third Party Claims Office
24, White Road, Chennai - 600 014.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent herein to pay the professional fee payable to the petitioner sum of Rs.6,96,412/- along with interest at the rate of 12% for the delay period pursuant to the representation dated 17.10.2012.

For Petitioner : Mr.P.Gnanasekaran
for Mr.T.Muruganantham

For Respondent : Mr.S.Arunkumar

O R D E R

The petitioner is a practising Lawyer. She was appointed as a Panel Advocate for the respondent Insurance Company in the year 1999 and appeared in very many cases and defended effectively. However, it is submitted that after paying the initial fees, in lot of cases, final fee has not been settled. Therefore, she filed the present writ petition claiming a sum of Rs.6,96,412/- being arrears of remuneration to be payable to the writ petitioner along with interest @ 12% per annum.



2. In support of the claim, the learned counsel appearing for the petitioner produced relevant documents with regard to TDS deductions made towards the payment of remuneration. However, while exercising the jurisdiction under Article 226 of the Constitution of India, this Court cannot go into the factual disputes of payments and accounts of the respondent Insurance Company.

3. After considering the prayer, this Court directed Mr. S. Arunkumar, learned counsel to appear in this matter and take instructions. Accordingly, Mr. S. Arunkumar, learned counsel appeared for the respondent and vehemently opposed the claim by stating that all the dues were settled. However, in order to give a quietus to this issue, a direction was given to Mr. S. Arunkumar, learned counsel for the respondent to get instructions for settling the matter. Accordingly, on his advice, the respondent Insurance Company came forward for settling the matter.

4. Considering the amount suggested by both sides, this Court is of the opinion payment of a sum of Rs. 4,00,000/- (Rupees Four Lakhs Only) to the petitioner towards full and final settlement of the claim would be just and reasonable. Both sides agreed to the suggestion put forward by this Court. Thus, the parties have mutually agreed to give a quietus to this issue on paying and receiving a sum of Rs. 4,00,000/- (Rupees Four Lakhs Only).

5. Accordingly, the respondent is directed to pay a sum of Rs. 4,00,000/- (Rupees Lakhs Only) to the petitioner by way of NEFT to the petitioner's Bank Account viz., RBL BANK, Besant Nagar Branch, IFSC Code No. RATN0000349, S.B. Account No. 309840187155 within a period of four weeks from today.

6. The writ petition is ordered accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

TK



To

The Manager
United India Insurance Co. Ltd.,
Motor Third Party Claims Office
24, White Road,
Chennai - 600 014.

+1cc to M/s.S.Arunkumar, Advocate, S.R.No.23907

+1cc to Mr.T.Muruganantham, Advocate, S.R.No.23261

WP NO.13616 OF 2013

JP (CO)
RLP (07/04/2022)