



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

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Friday, the 08th day of April 2022

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE M.THANIKACHALAM(Retd.)
and

Member

Mr.P.Ganesan

CMA.No.4007 of 2019

(Appeal against the judgment and decree dated 07.08.2018
made in M.C.O.P.No.817 of 2014 on the file of the Motor
Accidents Claims Tribunal, Special Subordinate Judge,
Coimbatore)

The Royal Sundaram Alliance Insurance Co., Ltd.,
Sundaram Towers,
No.46, Whites Road,
Chennai - 600 014.

.. Appellant

Vs.

1.R.Vasudevan

2.B.Senthilkumar

3. P.Senthilkumar

.. Respondents

This case came up for settlement before the Lok Adalat.
Both parties are present. Mr.R.Vasudean, Counsel for the
appellant and Mr.S.Arjun, counsel for the first 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 first respondent / claimant met with an accident resulting some grievous injuries in right hand and therefore he knocked the doors of the Tribunal, for a compensation of Rs.25,00,000/- which ended in an award of Rs.11,17,767/- causing grievance to the Insurance Company, resulting this appeal.

2. While the appeal is pending wisdom dawn upon of the parties, resulting, putting their heads together and came to an understanding under which the Insurance Company had agreed to pay a sum of Rs.9,00,000/- with interest for the claim, for which the claimant is also accepted, being present, as well as represented by the counsel. In view of the above settlement, the award of the Tribunal is to be modified.

3. In the result, the award of the Trial Court is modified directing the appellant Insurance Company, to deposit a sum of Rs.9,00,000/- with interest at the rate of 7.5% p.a less the amount deposited, as per the order of the High Court dated 24.10.2019 in the stay application, since as per the settlement, the amount deposited by the respondent is not sufficient, to satisfy the settlement amount, the Insurance Company is directed to deposit the balance of Rs.5,08,216/- as calculated by the parties within a period of six weeks, from the date of receipt of this order. Accordingly, the appeal is disposed of.

4. 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. The Civil Miscellaneous Appeal is disposed of accordingly. The connected miscellaneous petition is closed, if any.

Sd/-

The Royal Sundaram Alliance Insurance Co., Ltd.,
Sundaram Towers,
No.46, Whites Road,
Chennai - 600 014.

Sd/-

Counsel for the Appellant

Sd/-

1. R.Vasudevan

Sd/-

Counsel for the first 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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Sd/-
Member

Sd/-
Judge

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
Special Subordinate Judge, Coimbatore)
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

+1 cc to Mr.S.Arjun, Advocate Sr.No.25230

CMA.No.4007 of 2019

PL[co]
NSK 27/04/2022