



After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

WEB COPY

The matter is settled between the parties at Rs.12,00,000/- in full quit. The appellant/Ins.co., has already deposited the entire award amount into the Court. Now the parties herein have arrived for mutual settlement of Rs.12,00,000/- in full quit for all the respondents. Therefore, the lower court is directed to allow the payment out application if any filed for Rs.12,00,000/- The fourth respondent / claimant is shown as minor aged about 17 years before the Lower Court, now the Birth Certificate is produced by the learned Counsel Mr.Kumaravelan, which shown the minor was born on 05.07.1997 and as on date he had become major. The Certificate is taken on file and fourth respondent Gokulprasath is declared as major. The apportionment for the settlement amount of Rs.12,00,000/- shall be as per ratio made by the lower Court vide order dated 21.11.2017 as the minor had also become major, the question of deposit does not arise. Accordingly, the award passed by the lower court is modified by consent.

2. The Insurance Company has paid the entire amount before the lower court. Therefore, deducting the settlement award of Rs.12,00,000/-, balance amount shall be paid back to the Insurance Company along with interest if any on the deposit amount already made. Award is passed accordingly. Pay and recover order made by the lower court is confirmed.

3. The Tribunal is directed to transfer the amount through RTGS/NEFT to the parties 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 Manager,
M/s Reliance General Insurance Company Ltd.,
6th Floor, Headus Road,
Nungambakkam High Road,
Chennai.

Sd/-
Counsel for the Appellant

Sd/-
1.Tharageswari

Sd/-
2.Vinothkumar



Sd/-
3.Hariprasath

Sd/-
4.Gokulprasath

Sd/-
Counsel for the Respondents

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.

Sd/-
Sd/- Judge
Member

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

To : The parties/Advocate concerned

Copy To :

- 1.The Motor Accidents Claims Tribunal,
(Special Subordinate Judge,
Tirupattur.
- 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

C.M.A.No.1214 of 2018

NMI (CO)
RVM(07/06/2022)