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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat – I organised by the High Court Legal Services committee
Tuesday, the 27th day of September 2022

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE MALAISUBRAMANIAN (Retd.)

Member

Mr. N.Sivathanu District Judge, Retd

**C.M.A.No.1238 of 2018 & CMP.No.10103 of 2018
and
Cross.Objection No.17 of 2019**

CMA.No.1238 of 2018

Appeal against the judgment and decree dated 09.10.2017
passed in M.C.O.P.No.6150 of 2015 on the file of the Chief Judge
MCOP Tribunal, Chennai.

The Manager,
Reliance General Insurance Company Limited,
Reliance House,
6th Floor, No.6, Haddous Road,
Chennai – 600 006.

.. Appellant

Vs.

1.Shanthi

2.Pradeep Kumar

3.Prasanth Kumar

.. Respondents

Cross Objection No.17 of 2019

(This Cross Appeal is filed under Order 41 Rule 22 of C.P.C
against the judgment and decree dated 09.10.2017 made in



MCOP.No.6150 of 2015 on the file of the Chief Judge, MCOP
Tribunal, Chennai.

1.Shanthi

2.Pradeep Kumar

3.Prasanth Kumar

.. Cross Appellants

Vs

1.The Manager,
Reliance General Insurance Company Limited,
Reliance House,
6th Floor, No.6, Haddous Road,
Chennai – 600 006.

.. Respondents

This case came up for settlement before the Lok Adalat. Mr.S.Arunkumar, learned counsel for the Appellant in CMA.No.1238 of 2018 and respondent in Cross Appellant in Cross Objection No.17 of 2019, Mr.S.Ruban Prabu, learned counsel for the Respondents in CMA.No.1238 of 2018 and counsel for the cross appellants in Cross Objection No.17 of 2019, and Mr.Saravana Bhavan, Legal Officer, 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:



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TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.15,88,000/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit. Challenging the same, the Insurance Company have preferred the above appeal in CMA.No.1238 of 2018. In the said appeal, the claimants have also filed a Cross Appeal bearing Cross Objection No.17 of 2019.

2. After due deliberation and consultation, both the parties have agreed to settle the case for a sum of Rs.19,39,726/- (Rupees Nineteen Lakhs, Thirty Nine Thousand and Seven Hundred and Twenty Six only) that has already been deposited by the appellant / Insurance company and along with accrued interest from the date of deposit till the date of payment.

3. Out of the total compensation, the 1st respondent is entitled to a sum of Rs.18,00,000/- and the second and third respondents are entitled to receive the balance amount equally without filing any formal petition. Award is passed accordingly.

5. 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.

6. The Civil Miscellaneous Appeal is disposed of accordingly.

Consequently, connected Miscellaneous Petition is also closed.

The Manager,
Reliance General Insurance Company Limited,
Reliance House,
6th Floor, No.6, Haddous Road,
Chennai – 600 006.

Counsel for the Appellant in
CMA.No.1298 of 2018
and Cross Objection in No.17/19

1.Shanthi

2.Pradeep Kumar

3.Prasanth Kumar

Counsel for the Respondents in
CMA.No.1298 of 2018 and Cross
objection in No. 17 of 2019

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.

Judge

Member

To: The parties/Advocate concerned

Copy to:

1. The Chief Judge MCOP Tribunal, 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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MALAISUBRAMANIAN, J.(Retd)

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**C.M.A.No.1238 of 2018 &
CMP.No.10103 of 2018
and
Cross.Objection No.17 of 2019**

27.09.2022