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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat – I organised by the High Court Legal Services committee
Wednesday, the 16th 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 J.A.K.SAMPATHKUMAR(Retd.)
and

Member

Mr.R.Ramaraj, District Judge, Retd.

C.M.A.No.774 of 2021
and CMP.No.13155 of 2020

Appeal against the award dated 18.07.2018 made in
M.C.O.P.No.455 of 2016 on the file of III Additional District Court,
Kallakurichi (Motor Accidents Claims Tribunal, Kallakurichi), by
allowing the claim made by the appellant.

1.K.Kumar

.. Appellant

Vs.

1.Karunakaran
(1st respondent remained ex-parte
before the Tribunal)

2.The Manager,
The Oriental Insurance Company Limited,
No.20, 1st floor, K.A.K Complex,
Gandhi Road, Kallakurichi – 606202.

.. Respondents

This case came up for settlement before the Lok Adalat.

Mr.T.Balachandran, learned counsel for the Appellant,



Mr.P.Kandasamy, learned counsel for the second respondent and Mr. J.Srinivasan, Assistant Manager, Oriental 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.7,85,000/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit. It is represented by the learned counsel for the second respondent / Insurance company that the award amount has already been deposited before the Tribunal and the same has been withdrawn by the claimant / appellant.

2. Not satisfied with the award of the Tribunal, the claimant / appellant has preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.10,00,000/- (Ten Lakhs only) in full quit as additional compensation.

3. The second respondent / Insurance Company is directed to deposit the additional award amount of Rs.10,00,000/- (Rupees Ten Lakhs only), within a period of four weeks from the date of receipt of



a copy of this order.

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4. On such deposit, the claimant / appellant is permitted to withdraw the additional award amount without filing any formal petition. The Award is passed accordingly.

5. It is open to the 2nd respondent / Insurance company to pay the amount to the Claimant and recover the same from the 1st respondent as per the order of the Lower Court.

6. 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.

7. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed.

1. K.Kumar

Counsel for the Appellant

The Manager,
The Oriental Insurance Company Limited,



No.20, 1st floor, K.A.K Complex,
Gandhi Road, Kallakurichi – 606202.
Respondent

Counsel for the

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 Motor Accidents Claims Tribunal,
III Additional District Judge, Kallakurichi.
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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J.A.K.SAMPATHKUMAR, J.(Retd)

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**C.M.A.No.774 of 2021
and
CMP.No.13155 of 2020**

16.11.2022