



C.M.A.No.902 of 2022

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 12th November, 2022

NATIONAL LOK ADALAT AWARD

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

Presided over by:-

The Hon'ble Mr.JUSTICE G.K.ILANTHIRAIYAN

Members:-

- (1) Mr. K.Ramakrishnan, M.A., LL.M., District Judge (Retd.)
(2) Ms. V.Vijayalakshmi, Advocate

CMA.No.902 of 2022

(Civil Miscellaneous Appeal against the award and decree passed, dated 21.12.2020 in MCOP.No.1187 of 2016, on the file of the Motor Accidents Claims Tribunal, I Additional District & Sessions Judge at Cuddalore.

The Divisional Manager,
National Insurance Co. Ltd,
DO, Puducherry-1

Appellant

Vs.

- 1.J.Rajakumary
2.J.Janarthanan
3.J.Jayasuriya
4.M.Manjula

Respondent(s)

This case came up for settlement before the National Lok Adalat. Both the parties are present. **Mr.S.Vadivel**, the learned counsel for the Appellant/Insurance company and M/s.Ramya.V.Rao, the learned counsel for R1 to R3/claimants are present. After mutual discussion, negotiation, mediation and conciliation between both the parties, they arrived at a compromise to settle the matter as follows:-

TERMS OF SETTLEMENT

1. This Appeal has been filed by the **Appellant/ Insurance Company** against the impugned award dated 21.12.2020 in MCOP.No.1187 of 2016, on the file of the Motor Accidents Claims Tribunal, I Additional District & Sessions Judge at Cuddalore.
2. The Quantum of Compensation awarded by the Tribunal is **Rs.44,26,976/-** with interest at **7.5 %** per annum from the date of petition till the date of deposit of compensation. Being dissatisfied with the award amount, the **Appellant/ Insurance Company** has filed the present appeal.
3. After due deliberation and consultation, both the parties have **agreed** to modify the award to a sum of **Rs.41,00,000/- (Rupees Forty one Lakhs only)** with interest as full quit.
4. The Appellant/Insurance Company is directed to deposit the above said modified award amount of Rs.41,00,000/- with interest, after giving credit to the amount already deposited if any, within a period of **six weeks** from the date of receipt of a copy of this order. On such deposit, R1 to R3/claimants are permitted to withdraw their respective



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shares as apportioned by the Tribunal.

5. The quantum of the award amount has only been modified, whereas the interest and other features ordered by the Tribunal shall remain the same for the above modified award .
6. The Tribunal is directed to disburse the award amount to the claimants' Savings Bank Account, through RTGS/NEFT, on proper identification of the account of the claimants in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

The Divisional Manager,
National Insurance Co. Ltd,
DO, Puducherry-1

Counsel for the Appellants

1.J.Rajakumary

2.J.Janarathanan

3.J.Jayasuriya

Counsel for the Respondents

This National Lok Adalat Award is passed in terms of the above settlement. The Court fee paid shall be refunded to the parties 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.

JUDGE

MEMBER

MEMBER

To: The Parties/Advocates concerned.
Copy to:

- 1.The Motor Accidents Claims Tribunal, I Additional District & Sessions Judge at Cuddalore.
- 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

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12.11.2022