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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 12th day of March, 2022

LOK ADALAT AWARD

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

Presided over by

The Honourable Mr. Justice M. Thanikachalam
and

Members:

Mr. G. Dharmaraj, District Judge [Retd.]
Mr. V. Murali

C.M.A.No.1341 of 2021

(Appeal against the judgment and decree passed by the Motor Accidents Claims Tribunal, VI Court of Small Causes, Chennai, in M.C.O.P.No.5289 of 2016 dated 07.08.2020).

M/s. IFFCO-TOKIO General Insurance Company Limited,
No.128, Habibullah Road, T.Nagar,
Chennai – 600 017.

... Appellant

/versus/

1. Kalaiselvi
2. I. Saro Golda

3. I. Alwin Subin Raja

(Memo dated 12.03.2022 filed by the respondents 1 to 3 to the effect that the third respondent has become major and the said memo is recorded)

4. R. Trithuva Nesa Kumari

... Respondents

This case is taken up for settlement before this Lok Adalat. Mr. J. Michael Visuvasam, learned counsel for appellant, Ms. G. Baby, Legal Officer of the appellant and Mr. D. Sankari, learned counsel for the respondents 1 to 3, are present.

AWARD

The Insurance Company impugning the arbitral award has filed this appeal and when the appeal is pending, considering the family circumstances and other admitted liability payable by the Insurance Company as well as long pendency of the case, the parties sat together, settled the matter informing that the award may be modified as per the settlement reached.



2. It is reported by both parties including their counsel that the parties have settled the matter for Rs.15,00,000/- in full quit of the amount.

3. It is reported as well as agreed that the Insurance Company had deposited a sum of Rs. 17,56,970/- and therefore, as per the settlement, the claimants are entitled to withdraw only Rs.15,00,000/-, which is settled, in full quit and the balance of the amount including interest shall be paid to the Insurance Company on filing formal application.

4. In view of the above, the award of the Tribunal is modified permitting the claimants to withdraw a sum of Rs.15,00,000/- [Rupees Fifteen Lakhs only] and they are entitled to share it equally. Rest of the amount including interest shall be paid to the Insurance Company as stated above.

The award is modified accordingly. No costs. Consequently, connected miscellaneous petition is closed.

M/s.IFFCO-TOKIO General Insurance Company Limited,
No.128, Habibullah Road, T.Nagar,
Chennai – 600 017.

Counsel for Appellant

/versus/

1.Kalaiselvi
2.I.Saro Golda
3.I.Alwin Subin Raja

Counsel for the respondents 1 to 3

This Lok Adalat award is passed as above.



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.

Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, VI Court of Small Causes, 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. +2 copies



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M.Thanikachalam, J [Retd.]

gpa/gm/mp

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12.03.2022