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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.1829 of 2018

(Appeal against the judgment and decree passed by the Motor Accidents Claims Tribunal, I Additional District Judge, Tiruppur, in M.C.O.P.No.353 of 2013 dated 11.12.2017).

M/s. IFFCO-TOKIO General Insurance Co. Ltd.,
Thulasi Chambers, 3rd Floor,
No.195, T.V.Swamy Road (W),
R.S.Puram, Coimbatore – 641 002.

... Appellant

/versus/

1. Vijayalakshmi
2. Ramesh
3. Palraj
4. Suresh
5. Naveenraj
6. T. Alphy
7. The Medical Superintendent,
Kothagiri, Fellowship,
KMF Hospital, Kothagiri,
The Nilgiris.
8. United India Insurance Co. Ltd.,
PB No.15, JBM Buildings, 1st Floor,
Ramchand, Kothagiri, The Nilgiris.
9. M. Ganesh Sudhakar
10. ICICI Lombard General Insurance Co. Ltd.,
Andhra Pradesh by its Manager
Rangareddy, Andhrapradesh.

... Respondents



This case is taken up for settlement before this Lok Adalat. Mr.S.Arun Kumar, learned counsel for appellant and Mr.R.Prabkar, learned counsel for the respondents 1 to 4 and Ms.R.Sreevidhya, learned counsel for the tenth respondent, are present.

AWARD

The second respondent in M.C.O.P.No.353/2013, who suffered an award for Rs.11,53,750/-, challenges the same before the appellate forum. When the matter is pending for the past 8 years, the parties have not evinced any interest to settle the matter, whereas, at a later stage, they sat together and compromised the matter, in which, the parties have agreed to settle the matter for a sum of Rs.12,50,000/- in full quit of the entire claim.

2. The respondents 1 to 4/claimants, those who are interested in the claim, are present and they have agreed to the terms of agreement and prayed this Court to pass an award. Accordingly, in this view, a settlement has been reached between the parties.

3. In view of the settlement arrived at between the parties, the award of the Tribunal is modified to the following effect:

'The award of Rs.11,53,750/- passed by the Tribunal is modified to a sum of Rs.12,50,000/- [Rupees Twelve Lakhs and Fifty Thousand only] in full quit. It is represented on behalf of the appellant that the entire amount including the interest has already been deposited before the Tribunal. Out of amount deposited, the respondents 1 to 4/claimants are entitled to withdraw a sum of Rs.12,50,000/- in full quit of the claim and the balance, if any, and accrued interest shall be paid to the appellant/Insurance company'.



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

M/s.IFFCO-TOKIO General Insurance Co. Ltd.,
Thulasi Chambers, 3rd Floor,
No.195, T.V.Swamy Road (W),
R.S.Puram, Coimbatore – 641 002.

Counsel for Appellant

/versus/

1.Vijayalakshmi
2.Ramesh
3.Palraj
4.Suresh

Counsel for the respondents 1 to 4

5.ICICI Lambord General Insurance Co. Ltd.,
Andhra Pradesh by its Manager
Rangareddy, Andhrapradesh.

Counsel for the tenth respondent

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, I Additional District Judge, Tiruppur.
- 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

C.M.A.No.1829 of 2018

12.03.2022