



C.M.A.No. 1006 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. 1006 of 2022

(Civil Miscellaneous Appeal against the award and decree passed, **dated** 17.12.2021 in **MCOP.No.907 of 2020**, on the file of the Motor Accidents Claims Tribunal/Principal District Judge, Cuddalore.

- 1.K.Chithra
2.N.Monisha
3.K.Sowmiya
4.K.Ranjith
5.M.Raniyammal

Appellants

Vs.

1. D.Nirmalraj

2. The Branch Manager,
The Oriental Insurance Co.Ltd.,
No.13, Bharathi Road,
Opposite to Cuddalore N.T.Police Station,
Sathya Electronics, Cuddalore - 607 001.

Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. **Ms.Ramya V.Rao**, the learned counsel for the Appellant and **Mr.J.Chandran**, the learned counsel for the second respondent 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/Claimant** against the impugned award dated 17.12.2021 in M.C.O.P.No.907 of 2020 on the file of the Motor Accidents Claims Tribunal/Principal District Judge, Cuddalore.
2. The Quantum of Compensation awarded by the Tribunal is **Rs11,44,000/-** with interest at 8% per annum from the date of petition till the date of deposit of compensation. Being dissatisfied with the award amount, the appellant/claimant has filed the present appeal seeking enhancement of the same.
3. After due deliberation and consultation, both the parties have **agreed** to settle the case for a sum of **Rs.5,00,000/- (Rupees Five Lakhs only)** as full quit over and above the Tribunal Award.



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4. The Appellant/Insurance Company is directed to deposit the above said modified award amount of Rs.5,00,000/- (full quit), after giving credit to the amount already deposited if any, within a period of **four weeks** from the date of receipt of a copy of this order. On such deposit, the Appellants/Claimants are permitted to withdraw their respective shares as apportioned by the Tribunal.
5. 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. Consequently, the connected miscellaneous petition, if any, is closed.

1.K.Chithra

2.N.Monisha

3.K.Sowmiya

4.K.Ranjith

5.M.Raniyammal.

Counsel for the Appellant(s)

The Branch Manager,
The Oriental Insurance Co.Ltd.,
No.13, Bharathi Road,
Opposite to Cuddalore N.T.Police Station,
Sathya Electronics, Cuddalore - 607 001.

Counsel for the Respondent(s)

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/Principal District Judge, 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