



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.542 of 2018 & CMP.Nos.4813 of 2018, 1979 of 2019

(Civil Miscellaneous Appeal against the award and decree passed, dated 12.06.2017 in **MCOP.No.1905 of 2014**, on the file of the Motor Accidents Claims Tribunal, III Additional District Court, Salem)

Branch Manager,
Bajaj Allianz General Insurance Co Ltd.,
No.15, Kolaman Complex,
Sharadha College Main Road,
Alagapuram, Salem,
Salem-4

Appellant

Vs.

- 1.Rajaselvi
- 2.Major Rathnaraj
- 3.Minor Nohulraj

R3 rep. by his mother, next friend and guardian
first respondent herein

- 4.Venkatesha Padmanaban

R2 declared as major and discharged from guardianship, his mother R1 vide order dated 04.04.2019 in CMA.No.542 of 2018, CMP.Nos.1970 & 1975 of 2019

Respondent(s)

This matter is taken up for settlement before this Lok Adalat. The appellant/insurance company is represented by Mr.T.K.Premkumar, learned counsel and respondents/ claimants are represented by Mr.S.Raguraman, learned counsel. 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

This Appeal has been filed by the **Appellant/ Insurance Company** against the award and decree passed, dated 12.06.2017 in **MCOP.No.1905 of 2014**, on the file of the Motor Accidents Claims Tribunal, III Additional District Court, Salem, thereby awarded compensation of Rs.7,97,000/- with interest at the rate of 7.5% per annum.

2. While admitting this appeal, this Court stayed all further proceedings on condition that the appellant shall deposit the entire award amount together with interest and costs deducting the amount already deposited to the credit of **MCOP.No.1905 of 2014** on the file of the Motor Accidents Claims Tribunal, III Additional District Court, Salem. Accordingly, the appellant complied with the condition and the entire award amount with accrued interest is lying in the account of **MCOP.No.1905 of 2014**, on the file of the Motor Accidents Claims Tribunal, III Additional District Court, Salem. Thereafter, the parties have arrived at a



settlement before this Lok Adalat.

G.K.ILANTHIRAIYAN, J.

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3. Accordingly, in the deposited amount, the appellant is permitted to withdraw a sum of Rs.2,00,000/- (Rupees Two lakhs only) and the remaining amount along with accrued interest is permitted to be withdrawn by the respondents as apportioned by the Tribunal.

4. The Tribunal is directed to disburse the remaining amount (after deducting Rs.2,00,000/-) along with accrued interest 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 petitions are closed.

Branch Manager,
Bajaj Allianz General Insurance Co Ltd.,
No.15, Kolaman Complex,
Sharadha College Main Road,
Alagapuram, Salem,
Salem-4

Counsel for the Appellant

1.Rajaselvi

2.Major Rathnaraj

3.Minor Nohulraj

4.Venkatesha Padmanaban

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, III Additional District Court, Salem
- 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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CMA.No.542 of 2018