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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Friday, the 9th day of December 2022

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by
The Hon'ble Mr.JUSTICE R.KARUPPIAH (Retd)
and

Member
Mr. S.Manoharan, District Judge (Retd)

C.M.A.No.1777 of 2022
and CMP.No.12851 of 2022

This Civil Miscellaneous Appeal has been filed against the Award in
M.C.O.P. No.3962 of 2017 dated 29.11.2021 on the file of the Motor
Accidents Claims Tribunal (SCC II), Chennai.

The General Manager,
HDFC ERGO General Insurance
Company Limited,
New No.528, Old No.559, 2nd Floor,
Anna Salai, Chennai.

.. Appellant

Vs.

1. Janagiraman
2. Selvam
3. Jagadeesan
(Respondents 2 and 3 remained ex-parte
before the Tribunal)

.. Respondents

This case came up for settlement before the Lok Adalat. Both the
parties are present. M/s.E.Chitra for Mr.N.Somasundar, learned counsel for
the Appellant, Mr. K.Ravi, learned Advocate for the first Respondent and
Mr.Charles Vijaya Chandran, Legal Manager for HDFC ERGO General



After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.16,40,800/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to settle the case for a sum of Rs.16,00,000/- (Rupees Sixteen lakhs only) in full quit, as compensation.

3. The appellant/Insurance company shall deposit the modified award amount of Rs.16,00,000/- (Rupees Sixteen Lakhs only), less the amount already deposited, if any, within a period of four weeks from the date of receipt of a copy of this order.

4. On such deposit being made, the first respondent is permitted to withdraw a sum of Rs.16,00,000/-, in full quit, before the Tribunal without filing any formal petition. The Award is passed accordingly.

5. The Tribunal is directed to transfer the amount through RTGS/NEFT

to the parties concerned on proper identification in accordance with the terms



of the award, without insisting on any formal permission petition.

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6. This Civil Miscellaneous Appeal is disposed of accordingly.

Consequently, connected Miscellaneous Petition is closed.

The General Manager,
HDFC ERGO General Insurance
Company Limited,
New No.528, Old No.559, 2nd Floor,
Anna Salai, Chennai.

Counsel for the Appellant

Janagiraman

Counsel for the Respondent

This Lok Adalat award is passed in terms of the above settlement.

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 2 r/w 25 of LSA Act 1987 as amended in 1994.

Judge

Member



To: The parties/Advocate concerned

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R.KARUPPIAH,J.(Retd.)

drl

Copy to:

1. The Motor Accidents Claims Tribunal (SCC II), 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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09.12.2022