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

Saturday, the 11th day of December, 2021

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE B. GOKULDAS (Retd.)

and

Members

1. Mr.C.Raghavan, District Judge (Retd)
2. Mr.Pa.Kadirvel, Advocate

C.M.A.2201 of 2021

(This Civil Miscellaneous Appeal is filed against the Judgement and Decree in M.C.O.P.No.2060 of 2016 dated 22.02.2021 on the file of the Motor Accident Claims Tribunal / Chief Judicial Magistrate (FAC), Cuddalore.

Thilagavathy

.. Appellant

Vs.

1.Anitha

2.United India Insurance Company Limited,
Third Party Service Hub,
Plot Nos.35,36,37, AR Plaza,
45 Feet Rpad. Balaji Nagar Extension,
Saram, Puducherry – 605 001

..

Respondents

This case is taken up for settlement before the Lok Adalat. Both parties are present. The learned counsel for the appellant Ms.Ramya V.Rao and the learned counsel for 2nd respondent Mr.M.Muthukrishnan are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:



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TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.1,91,680/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit.

2. Not satisfied with the award of the Tribunal, the claimant / appellant has preferred the present appeal for enhancement. After due deliberations, both the parties have agreed to a sum of Rs.1,50,000/- (Rupees one lakh and fifty thousand only) over and above the amount awarded by the Tribunal in full quit as compensation.

3. The second respondent / Insurance Company is directed to deposit the above said award amount within a period of four weeks from the date of receipt of a copy of this order.

4. On such deposit being made, the appellant is permitted to withdraw the settled amount of Rs.1,50,000/- (Rupees one lakh and fifty thousand only) along with the amount already awarded by the Tribunal, if not already withdrawn, before the Tribunal without filing any formal petition.



5. The Tribunal is directed to issue the cheque to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal petition. The Civil Miscellaneous Appeal is disposed of accordingly.

Thilagavathy

Counsel for the Appellant

United India Insurance Company Limited,
Third Party Service Hub,
Plot Nos.35,36,37, AR Plaza,
45 Feet Rpad. Balaji Nagar Extension,
Saram, Puducherry – 605 001

Counsel for 2nd respondent

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

The 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 Accident Claims Tribunal /Chief Judicial Magistrate (FAC),
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
srn/mrp



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B. GOKULDAS (Retd.)

srn/mrp

C.M.A.2201 of 2021

11.12.2021