



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

Tuesday, the 22nd day of March 2022

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LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE MALAISUBRAMANIAN (Retd.)
Member

Mr.S.Manoharan, District Judge, Retd.

CMA.No.2554 of 2021

Prayer: Civil Miscellaneous Appeal filed to set aside the decree and judgment passed in MACTOP.No.239 of 2019 dated 21.04.2021 on the file of the Motor Accidents Claims Tribunal, Special Subordinate Court, Erode.

National Insurance Company Limited,
Branch Office,
No.403, B-10, First Floor,
Mettur Main Road,
Karthikeya Complex,
Bhavani, Bhavani Taluk,
Erode District.

.. Appellant / 3rd Respondent

Vs.

1. Mayakrishnan

.. Respondent / Petitioner

2. S.Karunanethi

.. Respondent / 1st Respondent

3. A.R.Muthuraja

.. Respondent / 2nd Respondent

This case came up for settlement before the Lok Adalat. Both parties are present. Mrs.N.B.Surekha, Counsel for the appellant and Mr.S.Arun Prasath for Mr.M.Guru Prasad. 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.10,18,000/- with interest at 9% per annum from the date of petition till the date of deposit and costs as compensation. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal. It is represented by the appellant/Insurance Company that they have deposited the entire award amount with interest in the Tribunal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.9,29,800/- (Rupees Nine Lakhs Twenty Nine Thousand Eight Hundred only) along with interest at 7.5% per annum from the date of petition till the date of deposit as compensation.

3. Out of the deposited amount, the first respondent/claimant is permitted to withdraw the modified award amount without filing any formal petition before the Tribunal. After satisfaction of the decree, the balance available with the Tribunal shall be refunded to the appellant / Insurance Company. Award is passed accordingly.

4. The Tribunal is directed to transfer the amount through RTGS/NEFT to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. The connected miscellaneous petition is closed, if any.

Sd/-
National Insurance Company Limited,
Branch Office,
No.403, B-10, First Floor,
Mettur Main Road,
Karthikeya Complex,
Bhavani, Bhavani Taluk.
Erode District.

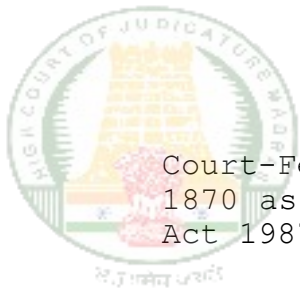
Sd/-
Counsel for the Appellant

Sd/-
1. Mayakrishnan

Sd/-
Counsel for the first 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 21 r/w 25 of LSA Act 1987 as amended in 1994.

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Sd/-
Member

Sd/-
Judge

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
Special Subordinate Court, Erode.
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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NSK 12/04/2022