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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat – I organised by the High Court Legal Services committee
Thursday, the 17th day of November, 2022

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE S.K.KRISHNAN(Retd.)
and

Member

Mr.G.Dhanaraj, District Judge, Retd.

C.M.A.No.2320 of 2021
and CMP.No.12997 of 2021

Appeal against the decree and judgment dated 25.09.2020 made
in M.C.O.P.No.4934 of 2010 on the file of Motor Accidents Claims
Tribunal (In the VI Court of Small Causes), Chennai.

The Reliance General Insurance Company
Office No.628, II floor,
Balmer Lawie House,
Anna Salai, Chennai.

.. Appellant

Vs.

1.G.Rajeswari
2.J.Prabavathi
3.V.Ezhilarassu
4.Kalaiyarasi
5.Panneerselvam
6.Devakumar
7.Sumathi
8.Janakiraman
(6th & 8th respondents remained ex-parte
before the Tribunal)

.. Respondents



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This case came up for settlement before the Lok Adalat. Mrs.C.Bhuvanasundari, learned counsel for the Appellant, Mrs.P.Uma learned counsel for the respondents 1 to 5 and there was no appearance for the respondents 6 to 8 and Mr.G.B.Saravanabhavan, Area Manager (Legal) for Reliance General Insurance Company Limited are present. 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.8,10,200/- with interest at 7.5% per annum from the date of filing of the petition i.e. 21.12.2010 till the date of deposit with cost. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal. The appellant / Insurance company official reported that they had already deposited a sum of Rs.7,37,169/- before the Tribunal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.13,00,000/- (Rupees Thirteen Lakhs only) in full quit, including the awarded amount already deposited a sum Rs.7,37,169/- before the Tribunal.



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3. In view of considering the fact that the Insurance company has already deposited a sum of Rs.7,37,169/- before the Tribunal. In addition to that the Insurance company is directed to deposit the modified balance amount of Rs.6,07,169, within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the claimants are permitted to withdraw their modified award amount of Rs.13,00,000/- in full quit, along with accrued interest if any, in the same ratio as apportioned by the Tribunal, without filing any formal petition. Award is passed accordingly.

5. 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.

6. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, the connected Miscellaneous Petition is closed.



The Reliance General Insurance Company
Office No.628, II floor,
Balmer Lawie House,
Anna Salai, Chennai.

Counsel for the Appellant

1.G.Rajeswari

2.J.Prabavathi

3.V.Ezhilarassu

4.Kalaiyarasi

5.Panneerselvam

Counsel for the Respondents

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.



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Judge

Member

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
VI Court of Small Causes, 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
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S.K.KRISHNAN, J.(Retd)

drl

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17.11.2022