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

Friday, the 25th 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.MARIMUTHU(Retd.)
and

Member

Mrs.Kanmani Selvam, Sub Judge (Retd.)

C.M.A.No.2460 of 2012
and CMP.No.14038 of 2021

This Civil Miscellaneous Appeal is filed to set aside the Award in
M.C.O.P.No.3292 of 2017 dated 12.03.2021 on the file of the Motor
Accidents Claims Tribunal, Special Sub Court, Cuddalore.

Shriram General Insurance Company Limited,
1st Floor, Plot No.5,
Ramachandran Street, Saravana Nagar,
Seevaram, Perungudi,
Chennai – 600 096.

.. Appellant

Vs.

1.Susheela
2.Kumar
3.Kiran Kumar Devabhaktuni
4.Subba Rao Devabhatuni
(Respondents 3 and 4 remained ex-parte
before the Tribunal)

.. Respondents



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This case came up for settlement before the Lok Adalat. Both parties are present. Mr.S.Khakshnamoorthy, learned counsel for the appellant, Mrs.Susheela, Party – in – person for the first respondent and Mr.Kumar, Party – in – Person for the second respondent and Mr.S.Rubalingam, Legal Officer for Shriram 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.33,09,000/- 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 modify the award to a sum of Rs.33,00,000/- (Rupees Thirty Three Lakhs only) in full quit, as compensation.

3. The Appellant / Insurance company has already deposited a sum of Rs.13,18,653/- before the Tribunal. In addition to that the Insurance company is directed to deposit the modified balance amount of



Rs.19,81,347/-, within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the claimants 1 and 2 are permitted to withdraw their modified award amount of Rs.33,00,000/- (Rs.13,18,653/- along with accrued interest if any, + Rs.19,81,347), equally 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. This Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed.

Shriram General Insurance Company Limited,
1st Floor, Plot No.5,
Ramachandran Street, Saravana Nagar,
Seevaram, Perungudi,
Chennai – 600 096.

Counsel for the Appellant

1.Susheela



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2.Kumar

Party – in - Persons

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

To

The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal,
Special Sub Court, 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



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S.MARIMUTHU,J. (Retd.)

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C.M.A.No.2460 of 2021

25.11.2022