



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat – I organised by the High Court Legal Services
committee

Friday, the 2nd 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 K.GNANAPRAKASAM(Retd.)
and

Member

Mr.K.Ramakrishnan, District Judge, Retd.

C.M.A.No.3068 of 2021
and CMP.No.17421 of 2021

Appeal against the judgment and decree dated 17.09.2019
made in M.C.O.P.No.4164 of 2014 on the file of the Motor Accident
Claims Tribunal, Special Subordinate Court No.II, Chennai.

M/s.HDFC ERGO General
Insurance Company Limited,
New No.528, Old 559, 2nd floor,
Anna Salai, Teynampet,
Chennai – 600 038.

.. Appellant

Vs.

1.Sudha

2.Selvam

(2nd Respondent remained ex-parte
before the Tribunal)

.. Respondents

This case came up for settlement before the Lok Adalat.

Mr.M.B.Raghavan for M/s.M.B.Gopalan Associates, learned



Advocate for the Appellant, Mr.S.Thambi, learned Advocate for the first Respondent and Mr.Charles Vijayachandran, Senior Manager, Legal for HDFC ERGO 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.9,70,000/- 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.10,00,000/- (Rupees Ten Lakhs only) in full quit, as compensation.

3. The Appellant / Insurance company is directed to deposit the modified award amount of Rs.10,00,000/- in full quit, within a period of four weeks from the date of receipt of a copy of this order, after deducting the amount already deposited, if any.



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4. On such deposit being made, the first respondent is permitted to withdraw a sum of Rs.10,00,000/- in full quit, without filing any formal petition. The 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.

M/s.HDFC ERGO General
Insurance Company Limited,
New No.528, Old 559, 2nd floor,
Anna Salai, Teynampet,
Chennai – 600 038.

Counsel for the Appellant

1.Sudha
Respondent

Counsel for the first

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



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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.

Member

Judge

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
Special Subordinate Judge No.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
+ 2copies



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K.GNANAPRAKASAM, J.(Retd)

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C.M.A.No.3068 of 2021

02.12.2022