



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 12th day of March, 2022

LOK ADALAT AWARD

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

Presided over by

The Honourable Mr. Justice M. Thanikachalam

and

Members:

Mr. G. Dharmaraj, District Judge [Retd.]

Mr. V. Murali

C.M.A.No.3640 of 2021

(Appeal against the judgment and decree passed by the Motor Accidents Claims Tribunal, (Special Subordinate Court) at Cuddalore in M.C.O.P.No.3287 of 2017 dated 31.03.2021.

Divisional Manager,
M/s. The New India Assurance
Company Limited,
Divisional Office,
No.179, III Floor,
Jawaharlal Nehru Street,
Puducheri – 605 001

... Appellant

/versus/

1. Maheswari
2. M. Christurajan

... Respondents

This case is taken up for settlement before this Lok Adalat. Mr. S. Dhakshnamoorthy for Mr. J. Michael Visuvasam, learned counsel for appellant and Ms. Ramya V Rao, learned counsel for the first respondent, are present.

**AWARD**

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The first respondent, by name Maheswari's husband met with a road accident and died. Thus, a young lady became widow by the act of the second respondent. Considering the future and dependency etc., the claimant raised a claim before the Motor Accident Claims Tribunal for a sum of Rs.50,00,000/-, which ended in an award of Rs.53,65,000/-. The New India Insurance Company felt that the award is on the higher side and in this view, they have challenged the same.

2. The case was filed in the year 2017 and the appeal was filed in the year 2021. Considering the pathetic case of the claimant as also the long pendency of the case, the Insurance Company is kind enough to settle the matter with the claimant and the discussion between them ended in a compromise, under which, the Insurance Company had agreed to pay a sum of Rs.60,00,000/-(Rupees Sixty Lakhs only) in full quit to the claimant.

3. Mr.M.V.Chandrasekhar, Regional Manager of the appellant and Mrs.Maheswari, the claimant, are present.

4. When enquired, they have also admitted the terms of the compromise and in this view, the award of the Tribunal is modified as follows:

The award passed by the Tribunal of Rs.53,65,000/- is modified to Rs.60,00,000/- in full quit and the appellant/Insurance company is directed to deposit the sum of Rs.60,00,000/-(Rupees Sixty Lakhs only), less Rs.25,000/-, which was already deposited while filing the appeal, within a period of six weeks from the date of receipt of a copy of this order.



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5. The petitioner/claimant is permitted to withdraw a sum of Rs.40,00,000/- and the remaining amount of Rs.20,00,000/- shall be deposited in a Nationalised Bank for five years with the re-investment scheme.

The award is modified accordingly. No costs.

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Counsel for Appellant

/versus/

Maheswari

Counsel for the 1st respondent

This Lok Adalat award is passed as above.

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.

Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, Special Subordinate 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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M.Thanikachalam, J [Retd.]

gpa/gm/mp

C.M.A.No.3640 of 2021

12.03.2022