

**HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI**

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 13th day of August, 2022

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE K.KUMARESH BABU

and

Members

- 1.S.Boothanathan (District Judge, Retd.)
- 2.V.Perarasu (Advocate)

CMA.No.3265 of 2021

Appeal against the Judgment and decree dated 11.05.2021 passed in M.C.O.P.No.290 of 2017 on the file of the Motor Accidents Claims Tribunal Judge, Chief Judicial Magistrate, Cuddalore.

Iffco Tokio General Insurance Co. Limited,
No.128, Habibullah Road,
5th Floor, T.Nagar,
Chennai - 600 017.

...Appellant

Vs.

1.Dhanavel (Died)
2.Veerammal
3.Bakiyavalli
(R3 brought on record as LR's of the deceased R1 viz.
Dhanavel vide Lok Adalat order dated
13.08.2022 made in CMA.No.3265/2021)

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.M.B.Raghavan, learned counsel for appellant and Mrs.G.Baby, Legal Executive and Ms.Ramya V. Rao, learned counsel for the respondents 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 Insurance Company have preferred this appeal against the Award of Rs.15,08,040/- along with interest at 7.5% per annum in favour of the first respondent.

2.It is brought to the knowledge of the Tribunal that the first respondent died and is survived by his mother, who is also the present here and represented by the learned counsel Ms.Ramya V. Rao. Legal Heirship Certificate is produced and also taken on record.

3.It is further submitted that the dispute has been settled at Rs.10,00,000/- as full and final settlement and the mother of the deceased first respondent represented by the learned counsel states that she will not make any further claim arising out of the same accident.

4.It is also brought to the notice that Pay and Recovery has been ordered against the second respondent and the same is confirmed.

5.The appellant is directed to deposit the above said accepted award amount of Rs.10,00,000/- (Rupees Ten Lakh only), after deducting the amount already deposited if any, within a period of four weeks from the date of receipt of a copy of this order.

6.On such deposit, the third respondent is permitted to withdraw the modified amount without filing any formal petition. Award is passed accordingly.



7.The Tribunal is directed to transfer the amount through RTGS/NEFT to the third respondent 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.

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.

Judge

Member

Member

Iffco Tokio General Insurance Co. Limited,
No.128, Habibullah Road,
5th Floor, T.Nagar,
Chennai - 600 017.

Counsel for the Appellant

1.Dhanavel (Died)
Bakiyavalli
(LR of R1 brought on record as
per Order dated 13.08.2022)
2.Veerammal

Counsel for the respondents

To:
The parties/Advocate concerned
Copy to:

- 1.The Motor Accidents Claims Tribunal Judge, Chief Judicial Magistrate, 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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K.KUMARESH BABU, J.

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13.08.2022