



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.2686 of 2021

and CMP.No.15438 of 2021

(Appeal against the judgment and decree passed by the Motor Accidents Claims Tribunal Cum Chief Judicial Magistrate Court, Tiruvarur in M.C.O.P.No.139 of 2018 dated 15.07.2020.)

The Branch Manager,
Iffco-Tokio General Insurance Company Ltd.,
Kingstone Park, 2nd Floor,
19/1, Puthoor Highways Road,
Ramalingam Nagar, Uraiyur,,
Trichy – 600 017.

... Appellant

/versus/

1. Perianayagi
2. Thirumalaisami

... Respondents

This case is taken up for settlement before this Lok Adalat. Mr. E. Rajadurai for Mr. N. Somasundar, Ms. G. Baby, Legal Officer of the appellant, learned counsel for appellant and Dhilipan Pandian, learned counsel for the first respondent, are present.

AWARD

The Tribunal awarded a sum of Rs.4,87,972/, though they have claimed a sum of Rs.50,00,000/-. After contest, the Insurance Company, who is answerable for the award amount, impugned the same before the High Court, which came for settlement before the Lok Adalat.



2. The claimant and the learned counsel for the Insurance Company are present.

It is reported that the parties have entered into a compromise after full discussion, in which, the parties have agreed for the modified award amount of Rs.3,50,000/- with liberty to the Insurance Company for pay and recover. It is also represented that the Insurance Company has already deposited a sum of Rs.2,83,879/-. In this view, the award is modified as hereunder:

The appellant /Insurance Company is directed to pay a sum of Rs.3,50,000/- [Rupees Three Lakhs and Fifty Thousand only] together with interest thereon at 7.5% per annum, less the amount already deposited i.e., Rs.2,83,879/-, within a period of four weeks from the date of receipt of a copy of this order.

3. The interest accrued, if any, on the deposit of Rs.2,83,879/- made by the Insurance Company before the Tribunal shall be paid to the claimant.

The award is modified accordingly. No costs. Consequently, connected miscellaneous petition is closed.

The Branch Manager,
Iffco-Tokio General Insurance Company Ltd.,
Kingstone Park, 2nd Floor,
19/1, Puthoor Highways Road,
Ramalingam Nagar, Uraiyur,,
Trichy – 600 017.

Counsel for Appellant

/versus/

Perianayagi

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, Chief Judicial Magistrate Court, Tiruvarur.
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.2686 of 2021

12.03.2022