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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 18th day of October 2022

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE T.N.VALLINAYAGAM (Retd.)
and

Member

Mrs.D.Shanthakumari (District Judge, Retd.)

Crl.RC.No.1018 of 2017

This Criminal Revision Case is filed to set aside the conviction and sentence of six months simple imprisonment and a compensation of Rs.1,39,028.50 passed by the IV Fast Track Court, George Town, Chennai in C.C.No.4630 of 2009 dated 20.05.2016 and confirmed the conviction and sentence by the XIX Additional Sessions Judge / City Civil Court, Chennai passed in Crl.A.No.175 of 2016 dated 26.04.2017.

K.Ramanaiah

.. Petitioner / Appellant /Accused

Vs.

M/s.Kansai Nerolac Paints Limited,
Rep. by M.K.Gangadaran,
No.1, Central Ware House, Corporation Godown,
No.8, Arcot Road,
Virugambakkam, Chennai – 600 092.
(Replacing the address of the respondent as
"No.18, Periyanna Street, Chennai -1"
into No.1, Central Ware House, Corporation
Gudown, No.8, Arcot Road,
Virugambakkam, Chennai – 92,
Amended as per order dated 12/09/2017 in
Crl.MP.No.11544 of 2017)

.. Respondent / Respondent/
Complainant



This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.S.Kannan, learned counsel for the Petitioner and Mr.G.Ramesh Kannan, learned counsel for the respondent 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 parties and counsel are present. After negotiation and discussion, the parties and counsel agreed as follows:-

- 1.The total cheque amount cover Rs.1,39,028.50/-.
2. A sum of Rs.14,000/- was paid before the Fast Track Court and further sum of Rs.50,000/- as per the direction of the Hon'ble High Court.
3. Totally, a sum of Rs.64,000/- (Rupees Sixty Four Thousand) has been deposited.
4. For the balance amount (as per the cheque amount Rs.76,000/- (rounded up)), the parties have agreed that the balance amount may be fixed as Rs.70,000/-. (Rupees Seventy Thousand only)
5. We find that the complainant has suffered loss in the business, due to Corona, the aforesaid amount is fixed by consent of the parties is at Rs.70,000/-.



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6. The said sum of Rs.70,000/- shall be paid in two instalments by way of Demand Draft as follows: (i) Rs.35,000/- shall be paid on or before 20.11.2022 (ii) and the balance amount of Rs.35,000/- shall be paid on or before 20.12.2022.

7. It is further agreed that **any default in the payment of anyone of the instalment, the order of Courts below, shall become executed.**

8. The cheque amount shall be drawn by way of Demand Draft which is to be delivered in the Office of Respondent namely Kansai Neroloc Paints Limited, Virugambakkam, Chennai – 600 092.

9. The Respondent is permitted to withdraw the said sum of Rs.14,000/- and Rs.50,000/- from the Fast Track Court without any further order.

10. Award is passed accordingly.

K.Ramanaiah

Counsel for the Petitioner



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M/s.Kansai Nerolac Paints Limited,
Rep. by M.K.Gangadaran,
No.1, Central Ware House, Corporation Godown,
No.8, Arcot Road,
Virugambakkam, Chennai – 600 092. Counsel for the
Respondent

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

To: The parties/Advocate concerned

Copy to:

1. The IV Fast Track Court, George Town, Chennai
2. The XIX Additional Sessions Judge / City Civil Court, Chennai.
3. The Secretary, High Court Legal Services Committee, Chennai.



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4.The Section Officer, V.R.Section, High Court, Madras.

5.The Section Officer, Lok Adalat Section, High Court, Madras.+2 copies

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T.N.VALLINAYAGAM, J.(Retd)

drl

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13.10.2022