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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Friday, the 9th 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 R.KARUPPIAH (Retd)
and

Member

Mr. S.Manoharan, District Judge (Retd)

C.M.A.No.3638 of 2021

This Civil Miscellaneous Appeal has been filed against the Judgment and Decree in M.C.O.P. No.778 of 2018 dated 22.09.2021 on the file of the Motor Accidents Claims Tribunal, II Additional Sub Judge, Cuddalore.

1.T.Vijayamaharajan
2.V.Jayalakshmi
3.V.Manikandan
4.Minor V.Sivasakthi Sriram
Rep by mother, guardian Next Friend
V.Jayalakshmi, the 2nd petitioner herein)

.. Appellants

Vs.

1. R.Subramani
2. V.Chelladurai
3. The Divisional Manager,
The United India Insurance Company Limited,
Third Party Service Hub, Plot No.35,36,37,
A.R. Plaza, 45 feet road, Balaji Nagar Extension,
Saram Pudur - 605 011.
(Respondents 1 & 2 remained ex-parte
before the Tribunal)

.. Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. M/s.Ramya V.Rao, learned Advocate for the Appellants,

Mr/s.R.Rathna Thara, learned Advocate for the third Respondent and



Mr.M.Muthukrishnan, Regional Officer for United India 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.14,30,100/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit with cost.

2. Not satisfied with the award of the Tribunal, the claimants / appellants has preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.4,00,000/- (Rupees Four Lakhs only) along with interest 7.5% over and above the award amount passed by the Tribunal as additional compensation i.e. $\text{Rs.14,30,100} + 4,00,000 = \text{Rs.18,30,100/-}$.

3. The third respondent / Insurance Company is directed to deposit the enhanced award amount of Rs.4,00,000/- along with interest 7.5% 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.

4. On such deposit being made, the appellants 1 and 2 are permitted to withdraw their entire award amount, in the same ratio as apportioned by the Tribunal without filing any formal petition before the Tribunal. There is no



award granted by the Tribunal to the third and fourth appellants. The Award is passed accordingly.

5. The Tribunal is directed to transfer the amount through RTGS/NEFT to the parties concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

6. The Civil Miscellaneous Appeal is disposed of accordingly.

1.T.Vijayamaharajan

2.V.Jayalakshmi
Appellants

Counsel for the

The Divisional Manager,
The United India Insurance Company Limited,
Third Party Service Hub, Plot No.35,36,37,
A.R. Plaza, 45 feet road, Balaji Nagar Extension,
Saram Pudur - 605 011.
Respondent

Counsel for the

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 2 r/w 25 of LSA Act 1987 as amended in 1994.

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Judge

Member

R.KARUPPIAH,J.(Retd.)

drl

To:The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
II Additional Sub Judge, 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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09.12.2022