



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 12th day of November 2022

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mrs.JUSTICE R.HEMALATHA

and

Members

Mr.V.Arumugam, District Judge (Retd)

Mrs.V.Alamelu, Advocate

CMA No.770 of 2022

(Appeal against the judgment and decree passed on 28.04.2021 made

in M.C.O.P.No.3011 of 2017 on the file of the Motor Accidents Claims

Tribunal/ Special Sub Court, Cuddalore)

HDFC ERGO General Insurance Company Ltd.,

New No.528, Old No.559, 2nd Floor,

Anna Salai, Teynampet,

Chennai - 600 018.

.. Appellant

Vs.

1.Dunamis Machines

2.Amirtha Gowri

3.Saraswathi

4.Surendhar

5.Lavanya

6.Mangalam Ammal (Died)

7.Krishnamurthy (Died)

.. Respondents



This case came up for settlement before the National Lok Adalat.

Both the parties are present. The learned counsel for the appellant E.Chitra for N.Somasundar and the Ms.Ramya V.Rao for the claimants/respondents 3 to 7 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 MCOP No.3011/2017 was filed by the legal heirs of the deceased Muruganandham who died in a road accident that took place on 10.06.2017 and the claimants had filed the petition claiming a compensation of Rs.50,00,000/- together with interest @ 18% p.a. The learned Judge, Motor Accidents Claims Tribunal, Special Sub Court, Cuddalore, had awarded a sum of Rs.20,32,000/- together with interest @ 7.5% per annum. Challenging the said award, the present Civil Miscellaneous Appeal is filed by the appellant/Insurance Company.

2. Now the claimants have agreed to receive a sum of Rs.22,00,000/- in full quit.



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3. It is represented that respondents 6 & 7 are dead on 11.04.2021 and 07.08.2020 respectively, their share may be given to the respondents 3 to 5/ petitioners 1 to 3 equally. A memo to that effect is filed and recorded.

4. The appellant/Insurance Company is directed to deposit a sum of Rs.22,00,000/- in full quit, less the amount deposited if any, within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the claimants are permitted to withdraw the settled amount. Award is passed accordingly.

5. The Tribunal is directed to issue the cheque to the party concerned 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.

HDFC ERGO General Insurance Company Ltd.,
New No.528, Old No.559, 2nd Floor,
Anna Salai, Teynampet,
Chennai - 600 018.

Counsel for the appellant



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Saraswathi

Surendhar

Lavanya

Mangalam Ammal (Died)

Krishnamurthy (Died)

Counsel for the respondents

This National Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the parties in the manner provided under 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



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To
The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal/ Special Sub 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.



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R.HEMALATHA, J

mtl

CMA No.770 of 2022

12.11.2022