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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat-I organised by the High Court Legal Services Committee
Monday, the 5th 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 J.A.K.SAMPATHKUMAR (Retd.)
and

Member

Mr.N.Balasubramanian, District Judge (Retd.)

C.M.A.2546 of 2022
and CMP.No.19798 of 2022

This Civil Miscellaneous Appeal is filed against the Judgment and Decree in M.C.O.P.No.2937 of 2015 dated 03.08.2022 on the file of the Motor Accidents Claims Tribunal, Principal Sub Judge, Cuddalore District.

The Oriental Insurance Company Limited,
Subagovindham Building,
Imperial Road,
Cuddalore – 2.

.. Appellant

Vs.

1.G.Anandaraj
2.S.Habebunisa

.. Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. Mr.J.Chandran, the learned counsel for the appellant, M/s.Ramya V.Rao, the learned counsel for the first respondent and Mr.J.Gopalan, Regional Manager for Oriental 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:

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TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.9,15,180/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit with cost. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.7,00,000/- (Rupees Seven Lakhs only) in full quit, as compensation.

3. The appellant / Insurance Company is directed to deposit the above said modified award amount of Rs.7,00,000/- (Rupees Seven Lakhs only) in full quit, 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.

4. On such deposit, the first respondent is permitted to withdraw the above said modified award amount of Rs.7,00,000/- in full quit, without filing any formal petition. Since the Award is passed against the Respondent / Insurance company, the owner of the vehicle S.Habebunisa / 2nd respondent



is not a necessary party and hence obtaining of signature from her is not necessary. Award is passed accordingly.

5. The Tribunal is directed to transfer the amount through RTGS/NEFT to the party 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. Consequently, the connected Miscellaneous Petition is closed.

The Oriental Insurance Company Limited,
Subagovindham Building,
Imperial Road,
Cuddalore – 2.

.. Counsel for the Appellant

1.G.Anandaraj

.. Counsel for respondent

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

The 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

J.A.K.SAMPATHKUMAR,J. (Retd.)



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To

The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal,
Principal 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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05.12.2022