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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 12th day of March 2022

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE M.JEYAPPAUL

and

Members

Mr.V.ARUMUGAM, District Judge (Retd.,)

Mr.K.JAYARAMAN, Advocate

C.M.A.No.3022 of 2017

Appeal against the judgment and decree passed on 17.11.2016 in M.A.C.T.O.P.No.2643 of 2013 on the file of the Motor Accidents Claims Tribunal, First Additional District Judge, Cuddalore.

The National Insurance Company Limited,
No.165, Nethaji Road,
Manjakuppam, Cuddalore.
Now by National Insurance Company Limited,
Motor Third Party Claims Hub,
3rd Floor, No.46, Moore Street,
Chennai – 600 001.

.. Appellant

/vs/

1.S.Mathiyazhagan,
S/o.Seenuvasan

2.M.Vaithiyathan,
S/o.Mahalingam

.. Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.S.Vadivel, learned counsel for appellant and Ms.Ramya V.Rao, learned counsel for the respondents 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**

Both the parties along with their respective counsel are present.

2. The Trial Court awarded compensation of Rs.3,23,087/- together with interest and cost.

3. Now, the appellant/Insurance Company is prepared to give only a sum of Rs.2,50,000/- towards compensation with interest and cost and the 1st respondent has also agreed to receive the said amount as compensation instead a sum of Rs.3,23,087/- with interest and cost awarded by the Trial Court.

4. In the above terms of settlement, this Civil Miscellaneous Appeal stands disposed of, passing an Award for a sum of Rs.2,50,000/- with interest and cost. The appellant/Insurance Company, which has already deposited the amount awarded by the Trial Court is entitled to withdraw the remaining amount from the Trial Court. The 1st respondent/claimant is entitled to withdraw the aforesaid amount with interest and cost from the date of the petition till the date of realisation before the Trial Court, now awarded in terms of the settlement.

The National Insurance Company Limited,
No.165, Nethaji Road,
Manjakuppam, Cuddalore.
Now by National Insurance Company Limited,
Motor Third Party Claims Hub,
3rd Floor, No.46, Moore Street,
Chennai – 600 001.

Counsel for the Appellant

1.S.Mathiyazhagan,
S/o.Seenuvasan

2.M.Vaithyanathan,
S/o.Mahalingam

Counsel for the respondents

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.

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Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, First Additional District 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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M.JEYAPPAUL.J.,

arb/ssi

C.M.A.No.3022 of 2017

12.03.2022