



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 08th day of JULY, 2023

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE B.GOKULDAS (Retd.)
and

Members

Mr.J.JUSTIN DAVID, District Judge (Retd)

Mrs.S.S.JHOTHIVANI, Advocate

CMA No.1710 of 2021

Appeal against the Judgment and decree dated 29.08.2019 made in M.C.O.P.No.1867 of 2015 on the file of the Motor Accident Claims Tribunal, (Chief Judge, Court of Small Causes), Chennai.

1.Rajeswari
E.Balu (died)
2.Krishnamurthy
3.Senthilkumar

...Appellants

Vs.

1.A.Mohamed Sherif
2.United India Insurance Co Ltd,
Silingi Building, 4th Floor, No.134, Greams Road,
Chennai - 600 006.
3.V.George Ruskin

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.K.Varadha Kamaraj, learned counsel for appellant and Mrs.R.Rajesh, learned counsel for the second respondent is present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:



The Tribunal has awarded a sum of Rs.7,55,000/- with interest at 7.5% per annum from the date of petition till the date of decree and costs as compensation. Aggrieved by the award of the Tribunal, the appellant had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to enhance the amount awarded by the Tribunal over and above for a sum of Rs.7,00,000/- (Rupees Seven Lakhs only) in full quit (inclusive of interest) as compensation.

3. The 2nd respondent/Insurance company is directed to deposit the above said enhanced amount of Rs.7,00,000/- (Rupees Seven Lakhs only), 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 1st appellant/1st petitioner is entitled and permitted to withdraw the amount enhanced by this Court without filing any formal petition. 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. The Civil Miscellaneous Appeal is disposed of accordingly.



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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

Member

1.Rajeswari
E.Balu (died)
2.Krishnamurthy
3.Senthilkumar

... Counsel for the Appellants

1.A.Mohamed Sherif

2.United India Insurance Co Ltd,
Silingi Building, 4th Floor, No.134, Greams Road,
Chennai - 600 006.

3.V.George Ruskin

... Counsel for the Respondents

To:
The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal, (Chief Judge, Court of Small Causes), Chennai.
- 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.+7 copies

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B.GOKULDAS,J. (Retd.)

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08.07.2023