



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 10th day of June, 2023

NATIONAL LOK ADALAT AWARD

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

Presided over by

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he Hon'ble Mrs.Justice R.KALAIMATHI
and

Members

Mr.M.Sambasivam, District Judge (Retd)

Mr.K.Thirukkumaran, Advocate

C.M.A.No.48 of 2022

Appeal against the Judgment and decree in M.C.O.P.No.2835 of 2011 dated 27.09.2021 on the file of the Motor Accident Claims Tribunal, Special Sub Court- II, Small Causes Court, Chennai.

K.Ramesh (alias) Venkatasubramani

...Appellant

Vs.

1. The Commissioner,
Corporation of Chennai,
Ribbon Building, Chennai-600 001.

2. United India Insurance Co.Ltd.
7th floor, 826, Anna Salai,
Chennai-600 002.

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.K.Malaikannu, learned counsel for appellant and Mr.R.Rajesh, learned counsel for the second respondent 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.4,07,300/- with interest at 7.5% per annum from the date of numbering of petition till the date of realisation 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 award by a sum of Rs.2,00,000/- (Rupees Two Lakhs only) in full quit (without interest) as compensation.

3. The second respondent / Insurance Company is directed to deposit the above said accepted award amount of Rs.2,00,000/- (Rupees Two Lakhs only) as over and above the award amount awarded by the Tribunal as full quit (without interest) as compensation, after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of a copy of this award. If the payment has not been made within the time stipulated, the second respondent is directed to pay the amount along with the interest at the rate of 7.5% p.a., till the date of realisation.

4. On such deposit, the Appellant/Claimant is permitted to withdraw the modified amount.

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, with out insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

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.

K.Ramesh (alias) Venkatasubramani

Counsel for the Appellant

United India Insurance Co.Ltd.
7th floor, 826, Anna Salai,
Chennai-600 002.

Counsel for the second Respondent

Judge

Member

Member



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R.KALAIMATHI,J.,

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To:
The parties/Advocate concerned
Copy to:

- 1.The Motor Accident Claims Tribunal, Special Sub Court- II, Small Causes Court, 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.+2 copies

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10.06.2023