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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th day of October 2023.

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.S.Baskaran
District Judge (Retd.)

Mrs.S.Sridevi
Advocate

C.M.A.No.585 of 2021

(Appeal against the judgment and decree passed on 09.07.2018 made
in M.A.C.T.O.P.No.5446 of 2012 on the file of the Motor Accident claims
Tribunal (V Small Causes Court at Chennai).

Vigneswaran

.. Appellant

Vs.

1.Vasudevan
2.United India Insurance Co. Ltd.,
Third Party Hub
Silingi Building, No.134, Greaves Road,
Murugesanaicker Street,
Chennai - 600 006.

.. Respondents

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

the parties are present. The learned counsel for the appellant Mr.K.V.Muthu



Visakan and the first respondent set ex-parte in trial Court and the learned counsel for the 2nd respondent Mr.P.Sankaranarayanan 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 and their respective counsel are present.

2. The Tribunal has awarded a sum of Rs.2,49,416/- (Rupees Two Lakhs Forty Nine Thousand Four Hundred and Sixteen only) and 40% of Contributory Negligence also in considered with interest at 7.5% p.a. from the date of petition till the date of deposit as compensation payable by the 2nd respondent / Insurance Company.

3. Aggrieved by the award, the appellant has preferred the present appeal. Both parties present and settled themselves for Rs.3,83,000/- (Rupees Three Lakhs Eighty Three Thousand only) out of which 60% alone is entitled to be withdrawn for the appellant. It is being calculated Rs.2,29,800/- (Rupees Two Lakhs Twenty Nine Thousand Eight Hundred only) is awarded upon amicable settlement as 60% of the negligence on the driver of the offending



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vehicle and inducted to Insurance Company. Hence, upon this award the appellant is entitled to get Rs.2,29,800/- with 7.5% interest from the date of claim petition and costs.

4. The 2nd respondent / Insurance Company is directed to deposit the award amount, now ordered after deducting any amount already deposited, within a period of six weeks from the date of receipt of a copy of this order. Award is passed accordingly. On such deposit, the appellant / claimant is permitted to withdraw the Award amount as per the apportionment mentioned supra, after deducting the amount already withdrawn by the claimants, if any.

5. The Tribunal is directed to issue the award amount through NEFT/RTGS to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

6.The appeal is ordered accordingly.

Vigneswaran

Counsel for the appellant

2.United India Insurance Co. Ltd.,
Third Party Hub
Silingi Building, No.134, Greaves Road,
Murugesanaicker Street,
Chennai - 600 006.

Counsel for the respondent

<https://www.mhc.tn.gov.in/judis> 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

To

The parties/Advocate concerned

Copy to:

1. The Motor Accident claims Tribunal (V Small Causes Court at 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.

B.GOKULDAS.J, (Retd.)



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C.M.A.No.585 of 2021

14.10.2023