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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 11th February 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 J.SATHYA NARAYANA PRASAD
and

Members

Mr.N.Balasubramanian, District Judge (retd)
Mr.K.V.Muthuvisakan, Advocate

C.M.A.No.1917 of 2021

(Appeal against the judgment and decree passed on 09.04.2018 made in MACTOP.No.8238 of 2015 on the file of the Motor Accidents Claims Tribunal, (Special Sub Court No.1, Motor Accidents Claims Petitions) Small Causes Court, Chennai.

1. Vigneshwaran
2. Vinoth Kumar

.. Appellants

/versus/

1. P.K.Kalaiyamoorthi
2. Kannan
3. The Oriental Insurance Company Limited,
Third Party Claim Hub,
Oriental House, 2nd Floor,
New No.115, Prakasam Salai,
Broadway,
Chennai-600 104.

.. Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.B.Dinesh Babu, learned counsel for appellants and Mr.J.Chandran, learned counsel for the third respondent 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**

The Tribunal has awarded a sum of Rs.8,47,800/- with interest at 7.5% per annum from the date of petition till the date of deposit. It is represented by the learned counsel for the claimant and the 3rd respondent that the amount has already been deposited before the Tribunal.

2. Not satisfied with the award of the Tribunal, the appellant/claimant has preferred the present appeal for enhancement. Now, both the parties have agreed for a settlement of a sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand Only) in full quit over and above the amount awarded by the Tribunal.

3. The 3rd respondent /Insurance Company is directed to deposit the enhanced award amount of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand Only) in full quit, within a period of six weeks from the date of receipt of a copy of this order. On deposit of the aforesaid enhanced amount by the second respondent/Insurance Company, the appellants are permitted to withdraw the same, without filing any formal petition. The apportionment of the award amount shall be as ordered by the Tribunal. The Award is passed accordingly.



4. The Tribunal is directed to issue the cheque to the party 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.

1. Vigneshwaran

2. Vinoth Kumar

Counsel for the Appellants

The Oriental Insurance Company Limited,
Third Party Claim Hub,
Oriental House, 2nd Floor,
New No.115, Prakasam Salai,
Broadway,
Chennai-600 104.

Counsel for the third respondent

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



To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, (Special Sub Court No.1, Motor Accidents Claims Petitions) 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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J.SATHYA NARAYANA PRASAD, J.

mn/vm

C.M.A.No.1917 of 2021

Dated :11.02.2023