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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday the 11th day of March 2023
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Honourable Mr.JUSTICE S.SOUNTHAR
and

Members:

Mr.G.Dharmaraj(District Judge Rtd.,)
Mrs.S.Sridevi

C.M.A.No.125 of 2023
and C.M.A.SR.No.8897 of 2023

(Appeal against the award made in M.C.O.P.No.1332 of 2020, dated 28.10.2022 on the file of the Motor Accident Claims Tribunal / I Additional District and Sessions Judge, Cuddalore.

C.M.A.No.125 of 2023:

T.Gopalakrishnan		... Appellant
	Vs.	
1. Chinmanaram		
2. The Divisional Manager, United India Insurance Company Ltd., No.13-A, SBI Complex, Nethaji Road, Manjakuppam, Cuddalore - 607 001.		.. Respondents

C.M.A.SR.No.8897 of 2023:

The Divisional Manager, United India Insurance Company Ltd., No.13-A, SBI Complex, Nethaji Road, Manjakuppam, Cuddalore - 607 001.		... Appellant
	Vs.	
1. T.Gopalakrishnan		
2.M.Chinmanaram		... respondents



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Both the cases are taken up for settlement before the National Lok Adalat. Both the parties are present. M/s.Ramya V. Rao, learned counsel appearing for the appellant in C.M.A.No.125 of 2023 and for the respondents in C.M.A.SR.No.8897 of 2023 and Mr.D.Bhaskaran, learned counsel appearing for Insurance company. 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.26,76,050/-, with interest 7.5% at the rate of per annum from the date of the petition till the date of deposit of the award amount. Aggrieved by the said award, the appellant has preferred the present appeal.

2. The appellant/ claimant and second respondent/Insurance Company entered in a compromise on following terms;

(i) The Appellant agreed for a sum of Rs.22,50,000/- with interest at the rate of 7.5 % per annum from the date of claim petition till the date of deposit of the entire amount.

(ii) The second respondent / Insurance Company is agreed to deposit the entire amount within a period of eight (8) weeks from today, failing which, the above said sum shall carry an interest of 7.5% per annum. The second respondent / Insurance Company shall deposit the above said sum after deducting any amount already deposited.

(iii) On such deposit, the appellant is permitted to withdraw the entire amount by making formal application before the Tribunal.



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3. Accordingly, the Tribunal is directed to transfer the amount through RTGS to the parties on proper identification in accordance with the terms of the award, without insisting on any formal petition. The Award is passed accordingly.

The Civil Miscellaneous Appeals are disposed of accordingly. Consequently, the connected MP, if any, is closed.

T.Gopalakrishnan

Counsel for Appellants

The Divisional Manager,
United India Insurance Company Ltd.,
No.13-A, SBI Complex, Nethaji Road,
Manjakuppam, Cuddalore - 607 001.

Counsel for 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

Member

Member



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To: The parties/Advocate concerned

S.SOUNTHAR, J.

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Copy to:

- 1.The Motor Accident Claims Tribunal / I Additional District and Sessions 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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C.M.A.No.125 of 2023
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11.03.2023