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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 10th day of June 2023

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mrs.JUSTICE K.GOVINDARAJAN THILAKAVADI
and

Members

Mr.N.Balasubramanian
District Judge (Retd.)

Mrs.K.Kavitha
Advocate

C.M.A.No.96 of 2023

(Appeal against the judgment and decree passed on 15.09.2022 made
in M.C.O.P.No.3182 of 2017 on the file of the Motor Accident claims
Tribunal/1st Additional District and Sessions Judge, Cuddalore.

1.Kalaiyarasi
2.Minor P.Harini
3.Minor P.Kokula Sri
4.Minor P.Madan
(Minors are rep. By mother guardian NF P.Kalaiyarasi)

.. Appellants

Vs.

1.V.Thanigaivel (set exparte even before the Tribunal)
2.The Divisional Manager
The New India Assurance Company Ltd.,
Divisional Office, III Floor, No.179, JN Street,
Puducherry – 605 001.

.. Respondents



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This case came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the appellant Mr.Ramya V.Rao and the learned counsel for the second respondent Mr.Rajesh 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.30,54,000/(Rupees Thirty Lakhs Fifty Four Thousand only) with interest at 7.5% p.a. from the date of petition till the date of deposit as compensation.

3. Aggrieved by the award, the appellants have preferred the present appeal. Now the appellants / claimants have agreed to receive a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) in addition to the amount already awarded by the Tribunal in full quit, which is also acceptable by the second respondent.



4. The second respondent 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 claimants are permitted to withdraw the Award amount as per the apportionment given by the Tribunal, after deducting the amount already withdrawn by the claimants, if any. The share of the minors shall be deposited in any Nationalized Bank till the minors are attained majority.

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. Consequently, the connected MP, if any, is closed.

1. Kalaiyarasi

2. Minor P. Harini

3. Minor P. Kokula Sri

4. Minor P. Madan

(Minors are rep. By mother guardian NF P. Kalaiyarasi)



Counsel for the appellants

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The Divisional Manager
The New India Assurance Company Ltd.,
Divisional Office, III Floor, No.179, JN Street,
Puducherry – 605 001.

Counsel for the second respondent

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

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Judge

Member

Member

To
The parties/Advocate concerned

Copy to:

1. The Motor Accident claims Tribunal 1st 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.



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K.GOVINDARAJAN THILAKAVADI, J.

rna

C.M.A.No.96 of 2023

10.06.2023