



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 Hon'ble Mrs. Justice R. KALAIMATHI
and

Members

Mr. M. Sambasivam, District Judge (Retd)

Mr. Sai Srujan TAYI, Advocate

C.M.A.No.107 of 2023

Appeal against the Judgment and decree in M.C.O.P.No.1695 of 2015 dated 07.09.2022 on the file of the Motor Accident Claims Tribunal / II Additional Sub Judge, Cuddalore.

Minor Vinaikrishnan
Minor petitioner represented by his
father and natural Guardian Krishnakumar.

...Appellant

Vs.

1. Krishnasamy Memorial Polytechnic
Senji Kumarapuram, Cuddalore.

2. Divisional Manager,
New India Assurance Co. Ltd.,
2nd Floor, JN Street, Puducherry.

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mrs. Ramya V. Rao learned counsel for appellant and Mr. T. Jayaraman, learned counsel for the 2nd respondent / Insurance Company 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.5,72,400/- with interest at 7.5% per annum from the date of numbering of petition till the date of realisation as compensation.

2. It is represented that the 2nd respondent / Insurance Company has already deposited the award amount before the Tribunal. Aggrieved by the award of the Tribunal, the appellant had preferred the present appeal.

3. After due deliberation and consultation, both the parties have agreed to add (over and above) the award to a sum of Rs.3,50,000/- (Rupees Three Lakh and Fifty Thousand only) in full quit (without interest) as compensation.

4. The 2nd Respondent / Insurance Company is directed to deposit the above said enhanced award amount of Rs.3,50,000/- (Rupees Three Lakh and Fifty Thousand only), 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 appellant is directed to pay the amount along with the interest at the rate of 7.5% p.a., till the date of realisation.

5. On such deposit, the enhanced award amount along with the Tribunal award shall be deposited in a Nationalised Bank in a fixed deposit scheme till the Minor appellant attains majority. On attaining majority, the appellant/claimant shall withdraw the award already passed by the Tribunal along with the enhanced amount with accrued interest, without filing any formal petition.



6. 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.

Minor Vinaikrishnan
Minor petitioner represented by his
father and natural Guardian Krishnakumar.

Counsel for the Appellant

Divisional Manager,
New India Assurance Co. Ltd.,
2nd Floor, JN Street, Puducherry.

Counsel for the 2nd Respondent

Judge

Member

Member



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R.KALAIMATHI,J.,

ssn

To:
The parties/Advocate concerned
Copy to:

- 1.The Motor Accident Claims Tribunal, II Additional Sub 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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11.03.2023