



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services
Committee

Saturday, the 11th February 2023

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE P.B.BALAJI

and

Members: Mr.G.Dharmaraj, District Judge (Retd.),

Mr.M.Muthusamy, Senior Advocate

C.M.A.NO.198 of 2023

(Appeal against the judgment and decree passed on 23.09.2022 made in M.C.O.P.No.367 of 2018 on the file of Motor Accident Claims Tribunal, III Additional District and Sessions Judge, Tiruvallur at Poonamallee.

1. R.Sumathi

2. R.Rajakumar

.. Appellants

/versus/

1. M/s. SKR Engineering College,
Agaramel, Nazarthpettai,
Poonamallee, Chennai - 123.

2. The Bajaj Allianz General Insurance Company Limited (HUBB),
No.497 & 498, 5th Floor,
Isana Kattima Building,
Poonamallee High Road, Arumbakkam,
Chennai - 600 106.

..Respondents

(R1 exparte before the Tribunal)

This case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.K.Varadha Kamaraj, learned counsel for the Appellants and Mr.M.B.Raghavan, learned counsel for the second respondent are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:



WEB COPY



TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.16,38,000/-, with interest at 7.5% per annum, from the date of petition, till the date of deposit. Aggrieved by the award of the Tribunal, the appellants / claimants have preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to enhance the award of the Tribunal to a sum of Rs.4,00,000/- (Rupees Four Lakh Only) in full quit as compensation.

3. The Second Respondent / Insurance Company is directed to deposit the enhanced amount of compensation now arrived at today, less the amount already deposited, if any, within a period of four weeks from the date of receipt of a copy of this order, to the credit of M.C.O.P.No.367 of 2018 on the file of Motor Accident Claims Tribunal, III Additional District and Sessions Judge, Tiruvallur at Poonamallee. On such deposit being made, the appellants / claimants are permitted to their share amount withdraw the amount on filing proper applications.



WEB COPY

4. The Tribunal is directed to transfer the above said award amount to the Bank account of the appellants / claimants by way of NEFT / RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

5. The Civil Miscellaneous Appeal is disposed of accordingly.

No costs.

1. R.Sumathi

2. R.Rajakumar

Counsel for the Appellants

The Bajaj Allianz General Insurance
Company Limited (HUBB),
No.497 & 498, 5th Floor,
Isana Kattima Building,
Poonamallee High Road, Arumbakkam,
Chennai - 600 106.

Counsel for the Second respondent



WEB COPY

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

To: The parties/Advocate concerned

Copy to:

1. Motor Accident Claims Tribunal, III Additional District and Sessions Judge, Tiruvallur at Poonamallee.
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



WEB COPY



5

P.B.BALAJI,J.

av

C.M.A..NO. 198 of 2023

11.02.2023