



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday the 8th day of July 2023
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Honourable Mr.JUSTICE MOHAMMED SHAFFIQ
and

Members:

- 1.Mr.M.Sambasivam, District Judge (Retd.)
2. Mr.K.Ethirajalu, Legal Aid Panel Advocate

C.M.A.No. 2450 of 2022

(Appeal against the award passed in M.A.C.T.O.P.No.8/2014 on 29.04.2015 by the Motor Accident Claims Tribunal, Karaikal.)

S.Mohan

... Appellant

Vs.

1.Moorthy

2.Rajam

3.The Branch Manager,

Cholamandalam MS General Insurance Co., Ltd.,

Thanjavur.

.. Respondents

With the consent of both the parties, this case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.K.Vijayan, learned counsel for appellant and Ms.R.Sreevidya, 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.

TERMS OF SETTLEMENT



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The Tribunal has awarded a sum of Rs.8,01,000/- with interest at the rate of 7.5% per annum from the date of petition till the date of realization. Aggrieved by the said award, the appellant has preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed that the third respondent/Insurance Company had already deposited the amount, as awarded by the Tribunal and the same has already been withdrawn by the appellants/claimants. Now the third respondent/Insurance Company has agreed to pay a sum of Rs.2,50,000/- over and above the Tribunal's award amount. The Tribunal awarded a sum of Rs.8,01,000/- enabling pay and recovery. We are informed that the same has become final as there is no challenge to it by the owner of the vehicle. However, the Insurance Company has agreed to pay the said sum of Rs.2,50,000/- as full quit. The Insurance Company is directed to deposit the said amount of Rs.2,50,000/- within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the claimant is permitted to withdraw the said amount of Rs.2,50,000/- without filing any formal petition.

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

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Mr.S.Mohan

Counsel for Appellant

The Branch Manager,
Cholamandalam MS General Insurance
Co., Ltd.,
Thanjavur. for R3

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

To: The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal,
Karaikal
- 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

MOHAMMED SHAFFIQ., J



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08.07.2023