



C.M.A.No.614 of 2021

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Saturday, the 14th day of October, 2023

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE D.BHARATHA CHAKRAVARTHY
and

Members :

Mr.N.Balasubramanian (Retd. District Judge)

Mrs.V.Nalini (Advocate)

C.M.A.No.614 of 2021
and C.M.P.No.3771 of 2021

(Appeal against the judgment and decree, dated 26.02.2020 made in
M.C.O.P.No.2162 of 2017 on the file of the Motor Accident Claims Tribunal
V Court of Small Causes, Chennai.)

Reliance General Insurance Company
Limited,
No.6, 4th Floor, Haddows Road,
Nungambakkam, Chennai – 600 006.

... Appellant / 2nd Respondent

Versus

1. Gangadharan @ Gangadurai ... Respondent / Petitioner

2. S.Kumaravel ... Respondent / 1st Respondent

This case came up for settlement before the Lok Adalat.
Mr.P.Suresh Srinivasan, learned counsel for the appellant and
Mr.S.Ravikumar, learned Counsel for the first respondent. After mutual



discussion and negotiation between both parties they arrived at a compromise to settle the matter as follows:

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TERMS OF SETTLEMENT

Pending the Civil Miscellaneous Appeal, the sole respondent / claimant, Gangadharan @ Gangadurai died on 29.12.2019. Death certificate, produced in proof thereof, is placed on record. It is submitted that he is survived by his wife Meena, aged 41 years; son Alwin, aged 20 years; daughter Aswini, aged 18 years and mother Sarasu, aged 60 years (age as of the year 2021). The legal heir certificate, produced by the parties, is placed on record. Accordingly, a memo is also filed on behalf of the aforesaid four persons, who are the only surviving legal heirs of the deceased claimant. The learned Counsel appearing on behalf of the appellant has no objection in respect of the said memo. The said memo is taken on file. Accordingly, the aforesaid persons namely, Meena, Alwin, Aswini and Sarasu are brought on record as the respondents 3 to 6 in the above Civil Miscellaneous Appeal.

2. It is represented that the entire award amount along with accrued interest in all totalling to a sum of Rs.18,35,474/- is already deposited to the account of M.C.O.P.No.2162 of 2017. Out of the said sum, it is now agreed by the parties that a sum of Rs.16,25,000/- shall be paid out to the claimants herein and they are prepared to accept the same as full quit. Of the said sum of Rs.16,25,000/-, the third respondent namely, Meena, will be entitled for a sum of Rs.11,37,500/-; and the respondents 4 to 6 will be entitled for a sum of Rs.1,62,500/- each. The claimants will be entitled for the said payment without filing any formal application and only upon verification of their



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identity.

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3. The balance sum available shall be refunded to the appellant Insurance Company.

Consequently, connected miscellaneous petition is closed.

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Nungambakkam, Chennai – 600 006.

Counsel for the Appellant

1. S.Kumaravel

2. Meena

3. Alwin

4. Aswini

5. Sarasu

Counsel for the Respondents

This Lok Adalat award is passed in terms of the above settlement.



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The full court fee paid shall be refunded to the appellant in the manner provided under Section 71-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 2 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,
(V Court of Small Causes, Chennai).
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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D.Bharatha Chakravarthy, J.

grs

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14.10.2023