



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 08th day of JULY, 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 B.GOKULDAS (Retd.)
and

Members

Mr.J.JUSTIN DAVID, District Judge (Retd)

Mrs.S.S.JHOTHIVANI, Advocate

CMA No.803 of 2023

Appeal against the decree and judgment dated 18.10.2022 made in M.C.O.P.No.621 of 2019 on the file of the Motor Accident Claims Tribunal (III Additional District and Sessions Judge), Tiruvallur at Poonamallee.

1.Sekar
2.R.Saroja
3.Murugan

...Appellants

Vs.

1.D.Archana
2.The United India Insurance Company Limited,
Saligramam,
Chennai - 093.
(Branch Office at Poonamallee, Chennai - 56).

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.K.Varadha Kamaraj, learned counsel for appellant and Mr.Rajesh, learned counsel for the second respondent is 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**

The Tribunal has awarded a sum of Rs.9,01,000/- with interest at 7.5% per annum from the date of filing of petition till the date of deposit as compensation. Aggrieved by the award of the Tribunal, the appellant had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to enhance the amount awarded by the Tribunal for a sum of Rs.4,25,000/- (Rupees Four Lakhs and Twenty Five Thousand only) in full quit (inclusive of interest) as compensation.

3. The second respondent/Insurance Company is directed to deposit the above said accepted award amount of Rs.4,25,000/- (Rupees Four Lakhs and Twenty Five Thousand only), after deducting the amount already deposited if any, within a period of four weeks from the date of receipt of a copy of this order. If the payment has not been made within the time stipulated, the second respondent/Insurance Company is directed to pay the amount along with interest at the rate of 7.5% till the date of realization.

4. The enhanced amount shall be apportioned among the appellants / petitioners 1 to 3 as follows, first petitioner/husband - Rs.2,25,000/-, second petitioner- Rs.1,00,000/- and third petitioner- Rs.1,00,000/-.



WEB COPY

5. On such deposit, the claimants/respondents are permitted to withdraw the enhanced amount as per the ratio of apportionment mentioned above.

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, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of at the SR stage itself.

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.

1.Sekar
2.R.Saroja
3.Murugan

Counsel for the Appellant

1.D.Archana

2.The United India Insurance Company Limited,
Saligramam,
Chennai - 093.
(Branch Office at Poonamallee,
Chennai - 56).

Counsel for the Respondents



WEB COPY

Judge

Member

Member

To:
The parties/Advocate concerned
Copy to:

- 1.The 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

jas/smn



WEB COPY



5

B.GOKULDAS,J. (Retd.)

smn/jas

CMA No.803 of 2023

08.07.2023