



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 Mr.JUSTICE R.KALAIMATHI
and

Members

Mr.M.Sambasivam, District Judge (Retd)

Mr.Sai Srujan TAYI, Advocate

CMA.No.1710 of 2018

Appeal against the Judgment and decree dated 23.04.2015 passed in M.C.O.P.No.2392 of 2012 on the file of the Motor Accidents Claims Tribunal, III Judge, Small Causes Court, Chennai.

- 1.R.Narmada
- 2.A.Pachiammal
- 3.R.Senthilkumar
- 4.C.Porkodi
- 5.M.Kanuammal

...Appellants

Vs.

- 1.P.Sudhakar
- 2.Reliance General Insurance Company Ltd.,
No.6, Haddows Road, Nungambakkam,
Chennai-34.

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.Ramya V.Rao, learned counsel for appellant and Ms.M.Shobana for Mr.S.Arunkumar, 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.6,08,000/- with interest at 7.5% per annum from the date of petition till the date of decree and costs as compensation. The Tribunal award is deposited and withdrawn by the claimant. The appellants had preferred the present appeal seeking enhancement.

2. After due deliberation and consultation, both the parties have agreed to enhance the award by a sum of Rs.6,00,000/- (Rupees Six Lakhs Only) in full quit without interest as compensation.

3. The second respondent Insurance Company is directed to deposit the above said enhancement accepted award amount of Rs.6,00,000/- (Rupees Six Lakhs Only) in full quit without interest. The fifth petitioner/M.Kanuammal died and the death certificate produced. Therefore, the apportionment by the Tribunal is modified as follows:-

1st Petitioner – Rs.3,90,000/-

2nd Petitioner – Rs.70,000/-

3rd Petitioner – Rs.70,000/-

4th Petitioner – Rs.70,000/-

4. On such deposit, the claimants/appellants are permitted to withdraw the enhanced amount without filing any formal petition. Award is passed accordingly.



5. 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 accordingly. The connected miscellaneous petition is closed, if any.

1.R.Narmada
2.A.Pachiammal
3.R.Senthilkumar
4.C.Porkodi

Counsel for the Appellant

1.P.Sudhakar
2.Reliance General Insurance Company Ltd.,
No.6, Haddows Road, Nungambakkam,
Chennai-34.

Counsel for the 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 Accidents 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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R.KALAIMATHI.J.,

kmm/gd

CMA.No.1710 of 2018

11.03.2023