



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 Mrs.JUSTICE R.KALAIMATHI
and

Members

Mr.M.Sambasivam, District Judge (Retd)

Mr.Sai Srujan TAYI, Advocate

CMA No.1044 of 2022

Appeal against the Judgment and decree dated 17.12.2021 passed in M.C.O.P.No.4282 of 2018 on the file of the Motor Accidents Claims Tribunal/I Additional District and Sessions Judge, Cuddalore.

- 1.Shanthi
- 2.S.Ajith
- 3.S.Silambarasan
- 4.S.Dhivya
- 5.Amirtham

...Appellants

Vs.

- 1.V.Yagnaprabha
- 2.V.Muthu
- 3.The Divisional Manager,
The New India Assurance Co.Ltd.
Door No.179, 3rd Floor, JN Street,
Puducherry-605001.

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mrs.Ramya V Rao, learned counsel for appellant and Mr.T.Jayaraman, learned counsel for the third 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**

WEB COPY

The Tribunal has awarded a sum of Rs.18,01,500/- with interest at 7.5% per annum from the date of petition till the date of decree and costs as compensation. The third respondent has already deposited the Tribunal award and the same has not been withdrawn by the claimants. The claimants have preferred the above appeal for enhancement of compensation.

2. After due deliberation and consultation, both the parties have agreed to enhance the award by a sum of Rs.5,50,000/- (Rupees Five Lakhs Fifty Thousand Only) in full quit without interest as compensation.

3. The Third Respondent Insurance Company has submitted that they had already deposited the entire award amount with interest and have agreed to deposit the enhanced sum of Rs.5,50,000/- (Rupees Five Lakhs Fifty Thousand Only) in full quit within a period of eight weeks from the date of receipt of a copy of this order. The apportionment shall be made as per the terms of the decree.

4. As directed above, 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. Shanthi
2. S. Ajith
3. S. Silambarasan
4. S. Dhivya
5. Amirtham

Appellant

Counsel for the

1. V. Yagnaprabha
 2. V. Muthu
 3. The Divisional Manager,
The New India Assurance Co. Ltd.
Door No. 179, 3rd Floor, JN Street,
Puducherry-605001.
- respondents

Counsel for the

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/I Additional District and Sessions Judge, Cuddalore.
2. The Secretary, High Court Legal Services Committee, Chennai.



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3.The Section Officer, V.R.Section, High Court, Madras.

4.The Section Officer, Lok Adalat Section, High Court, Madras.+2 copies

kmm/gd

R.KALAIMATHI.J.,

kmm/gd

CMA No.1044 of 2022