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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 Honourable Mr.JUSTICE S.SOUNTHAR
and

Members:

Mr.G.Dharmaraj(District Judge Rtd.,)
Mrs.S.Sridevi

C.M.A.No.1133 of 2022

(Appeal against the award made in M.C.O.P.No.2106 of 2017, dated 30.11.2021 on the file of the Motor Accident Claims Tribunal / II Additional Sub Judge, Cuddalore).

Minor Nivetha
(Rep.by her father next friend and Guardian Ramesh) ..Appellant

Vs.

1.B.Rajesh

2.United India Insurance Co.Ltd
Third Party Service Hub, Plot No.35,36,37
A.R.Plaza, 45 Feet Road, Balaji Nagar Extn.
Saram, Puducherry-605 011.

3.T.Rathinavel

4.The Divisional Manager,
National Insurance Co.Ltd,
Door No.110, JN Street, Puducherry-605 001. .. Respondent

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. M/s.Ramya V.Rao, learned counsel appearing for the minor Appellant, Ms. Mr.S.Vadivel, learned counsel appearing for 4th Respondent/Insurance Company and M/s.D.Bhaskaran, learned counsel



appearing for the 2nd respondent/Insurance Company. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matters as follows.

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.3,68,107/-, with interest 7.5% at the rate of per annum from the date of the petition till the date of deposit of the award amount. Aggrieved by the said award, the appellants have preferred the present appeal.

2.The guardian of the minor appellant/claimant and the 2nd respondent/Insurance Company have entered into a compromise on the following terms:-

(i)the guardian of the minor appellant in C.M.A.No.1133 of 2022 has agreed to settle for a sum of Rs.1,00,000/- in full quit over and above the Tribunal award amount.

(ii) The 2nd respondent/Insurance Company is also agreed to deposit the entire award amount including the enhanced amount within a period of 8 weeks from today failing which the above said amount shall carry an interest of 7.5% per annum. The 2nd respondent/Insurance Company shall deposit the above said sum after deducting amount already deposited, if any.

(iii)the award amount shall be deposited in Fixed Deposit in any one of the nationalized bank initially for a period of one year and the same shall be renewed periodically till the minor appellant attains majority. On attaining majority, the minor appellant is permitted to withdraw the entire amount along with accrued interest by making formal application.



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4. The Civil Miscellaneous Appeal is disposed of accordingly.
Consequently, the connected MP, if any, is closed.

Minor Nivetha
(Rep.by her father next friend and Guardian Ramesh)

Counsel for Appellant

2.United India Insurance Co.Ltd
Third Party Service Hub, Plot No.35,36,37
A.R.Plaza, 45 Feet Road, Balaji Nagar Extn.
Saram, Puducherry-605 011.

Counsel for Respondents

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



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S.SOUNTHAR, J.

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To: The parties/Advocate concerned

Copy to:

- 1.The Motor Accident 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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C.M.A.1133 of 2022

11.03.2023