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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 February 2023
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

THE HONOURABLE Mr.JUSTICE **MOHAMMED SHAFFIQ**
and

Members:

- 1.Mr.R.RAVINDRABOSE
- 2.Mr.C.SAMIVEL

C.M.A.No.1196 of 2022

Civil Miscellaneous Appeal is filed to enhance the compensation in MCOP.No.3555 of 2017 on the file of the Motor Accidents Claims Tribunal/II Additional Sub Judge, Cuddalore dated 17.12.2021.

1. K.Sundari
2. K.Sureka

... Appellants

Vs.

1. S.Thanigachalam
2. The Divisional Manager
National Insurance Co.Ltd.,
Door No.110, J.N.Street,
Puducherry-605 001.

.. Respondents

With the consent of both the parties, this case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.K.Mukundan, learned counsel representing the counsel for the appellants and Mr.D.Bhaskaran, learned counsel representing the counsel for the second respondent are 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**

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The Tribunal has awarded a sum of Rs.14,30,100/- with interest at 7.5% per annum from the date of petition till the date of decree and costs as compensation. Aggrieved by the award of the Tribunal, the appellants had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to enhance the award by a sum of Rs.3,50,000/- (Rupees Three Lakhs and fifty Thousand only) in full quit as additional compensation.

3. The 2nd respondent/Insurance Company is directed to deposit the above said accepted award amount of Rs.3,50,000/- (Rupees Three Lakhs and Fifty Thousand only) without interest along with the amount awarded by the Tribunal i.e., Rs.14,30,100/- with interest and costs within a period of eight(8) weeks from the date of receipt of a copy of this award.

4. On such deposit, the appellants/claimants are permitted to withdraw the entire amount without filing any formal petition. 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.

5. The Civil Miscellaneous Appeal is disposed of accordingly.



1. K.Sundari

2. K.Sureka

Counsel for Appellant

1. S.Thanigachalam

2. The Divisional Manager
National Insurance Co.Ltd.,
Door No.110, J.N.Street,
Puducherry-605 001.

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

To: The parties/Advocate concerned

Copy to:

- 1.Motor Accidents Claim 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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MOHAMMED SHAFFIQ., J

kmi

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11.02.2023