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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 11th February 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 J.SATHYA NARAYANA PRASAD
and

Members

Mr.N.Balasubramanian, District Judge (retd)

Mr.K.V.Muthuvisakan, Advocate

C.M.A.No.259 of 2018
and Cross Objection No.40 of 2020

(Appeal against the judgment and decree passed on 02.04.2016 made in MCOP.No.528 of 2012 on the file of the Motor Accidents Claims Tribunal (Principal District Judge, Perambalur).

Reliance General Insurance Company Limited,
No.15, APLA Kongu Towers,
11th Cross Main Road, Thillai Nagar,
Trichy.

.. Appellant

/versus/

1. Selvi
 2. Kalaiyarasi
 3. Minor Devarasu
 4. Minor Renuga
 5. Sellammal
- (3 and 4 minors are
represented by their natural Guardian,
next friend and mother Selvi)
3rd minor declared as major as per
order in I.a.No.68 of 2016 dated 05.01.2016)

6. R.V.N.Transport
Udayarapatti Bye-pass Road,
E.B.Office Near Kamaraj Nagar,
Colony, Salem.

.. Respondents

**Cross Objection No.40 of 2020:**

1. Selvi
2. Kalaiyarasi
3. Devarasu
4. Minor Renuga
Sellammal (died)

.....Cross Objectors

Vs

1. Reliance General Insurance Company Limited,
No.15, APLA Kongu Towers,
11th Cross Main Road, Thillai Nagar,
Trichy.
2. R.V.N.Transport
Udayarapatti Bye-pass Road,
E.B.Office Near Kamaraj Nagar,
Colony, Salem.

..... Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. M/s C.Bhuvanasundari for Mr.S.Arun Kumar, learned counsel for appellant in C.M.A.No.259 of 2018 and Mr.A.A.Venkatesan, learned counsel for the respondents 1 to 4 in C.M.A.No.259 of 2018 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

The Tribunal has awarded a sum of Rs.11,19,200/- with interest at the rate of 7.5% per annum as compensation to the first respondent/claimant. Challenging the same, the appellant/Insurance Company has preferred this appeal.



2. The learned counsel for the appellant submitted that the appeal be disposed of by confirming the award passed by the Tribunal. It is also submitted that the entire compensation amount along with interest has been deposited.

3. The learned counsel for the cross objector in Cross Objection No.40 of 2020 submitted that they had filed cross objection seeking enhancement and now agreed to withdraw the cross objection accepting the entire award amount deposited before the Tribunal with accrued interest, if any. The learned counsel for the cross objector has also made an endorsement to that effect

4. It is submitted that the fifth respondent in C.M.A.No.259 of 2018 viz., Sellammal died and the same is also mentioned in Cross Objection No.40 of 2020 filed by the respondents/claimants. Hence, the amount of Rs.1,00,000/- shall be allotted to the first respondent viz., Selvi. Hence, the first respondent is entitled for total sum of Rs.6,19,200/-with proportionate interest. In regard to the other respondents, the apportionment shall be as ordered by the Tribunal. The major respondents' share is permitted to be withdrawn with proportionate interest, except minor respondents. The minor fourth respondent's share shall be deposited in any of the Nationalised Bank and the interest amount shall be withdrawn by the first respondent/Mother, on every three months, till the minor attains majority.

5. Accordingly, the Civil Miscellaneous Appeal is disposed of. The Cross Objection No.40 of 2020 is dismissed as withdrawn.



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Reliance General Insurance Company Limited,
No.15, APLA Kongu Towers,
11th Cross Main Road, Thillai Nagar,
Trichy.

Counsel for the Appellant in
C.M.A.No.259 of 2018

1. Selvi

2. Devarasu

Counsel for the respondents 1 to 4
C.M.A.No.259 of 2018

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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J.SATHYA NARAYANA PRASAD, J.

mn/vm

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, (Principal District Judge, Perambalur).
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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and Cross Objection No.40 of 2020

Dated : 11.02.2023