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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. 3917 of 2019

(Civil Miscellaneous Appeal is filed to allow this Civil Miscellaneous Appeal and enhance the award in judgment and decree dated 10.12.2018 made in M.C.O.P. No. 162 of 2016 on the file of the Motor Accident Claims Tribunal, II Additional District and Sessions Court, Ranipet, Vellore District.

1. Varalakshmi
2. Damodharan
3. Vijay

... Appellants

Vs.

1. Tappeta Sahith Reddy
2. The National Insurance Company Limited
Office at M.B.T. Road
Ranipet, Vellore District.

.. 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. C.Prabakaran, learned counsel for appellant and Mrs. R.Sree Vidhya, learned 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

The Tribunal has awarded a sum of Rs.6,70,000/- with interest at the rate of 7.5% per annum from the date of petition till the date of realization. Aggrieved by the said award, the appellant has preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed that the **second** respondent/Insurance Company had already deposited the amount, as awarded by the Tribunal and the same has already been withdrawn by the appellants/claimants. Now the **second** respondent/Insurance Company has agreed to pay a sum of Rs.4,00,000/- over and above the Tribunal's award amount. However, the Insurance Company has agreed to pay the said sum of Rs.4,00,000/- as full quit. The Insurance Company is directed to deposit the said amount of Rs.4,00,000/- within a period of eight weeks from the date of receipt of a copy of this order. On such deposit, the claimant is permitted to withdraw the said amount of Rs.4,00,000 without filing any formal petition.

3. As full quit, a sum of Rs.4,00,000/- over and above the amount awarded



to be divided among the appellants in the following manner:-

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(i) Rs.2,00,000/- to the first appellant and

(ii) Rs. 1,00,000/- each to the second and third appellants.

4. The Tribunal is directed to issue the cheque to the party 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.

1. Varalakshmi

2. Damodharan

3. Vijay

Counsel for Appellants

The National Insurance Company Limited
Office at M.B.T. Road
Ranipet, Vellore District.

Counsel for Second 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.

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Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

- 1.Motor Accident Claims Tribunal,
II Additional District Judge, Ranipet, Vellore District.
- 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

at/Maya

C.M.A. No. 3917 of 2019

11.02.2023