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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services
Committee

Saturday, the 9th December 2023

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by

The Hon'ble Mr.JUSTICE A.RAMAMURTHI(RETD.)
and

Members

Mr.M.Sambasivam, District Judge (Retd.),
Mr.C.Venkatesan, Advocate

C.M.A.No.1262 of 2023

(Appeal against the judgment and decree passed on 20.04.2021
made in M.C.O.P.No.1588 of 2018 on the file of the Motor Accident
Claims Tribunal-IV, Small Causes Court, Chennai)

S.Bakthavalsalam

... Appellant

Vs

1. R.Ravi Shankar

2. The Oriental Insurance Company Limited,
No.115/16, Second Floor,
Oriental House, Prakasam Salai,
Boradway, Chennai - 600 108.

...

Respondents

(R1 set exparte before the Tribunal)

This case is taken up for settlement before the Lok Adalat.
Both the parties are present. Mr.S.R.Suga, learned counsel for the
Appellant and Mrs.R.Sreevidhya, learned counsel for the 2nd
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.7,33,000/- with interest at
7.5% per annum, from the date of petition, till the date of realization
with costs. Challenging the quantum of compensation, the



appellant/claimant has preferred the present appeal for enhancement of the Award amount.

2. After due deliberation and consultation, both the parties have agreed to settle the claim for a sum of Rs.5,75,000/- (Rupees Five Lakhs Seventy five Thousand only) in full quit, over and above the amount awarded by the Tribunal at Rs.7,33,000/- with interest at 7.5% p.a.

3. It is represented that the appellant / claimant has already withdrawn the Award amount of Rs.7,33,000/- along with interest awarded by the Tribunal. The 2nd Respondent / Insurance Company is directed to deposit the enhanced Award amount of Rs.5,75,000/- to the credit of M.C.O.P.No.1588 of 2018 on the file of the Motor Accident Claims Tribunal-IV, Small Causes Court, Chennai, within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit being made, the Tribunal is directed to transfer the enhanced Award amount to the Bank account of the appellant / claimant by way of NEFT / RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition. The appellant / claimant is entitled to withdraw the enhanced Award amount thereafter.

5. The Civil Miscellaneous Appeal is disposed of. No costs.



S.Bakthavalsalam

Counsel for the Appellant

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1. R.Ravi Shankar

2. The Oriental Insurance Company Limited,
No.115/16, Second Floor,
Oriental House, Prakasam Salai,
Boradway, Chennai - 600 108.

Counsel for the 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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A.RAMAMURTHI,J. (RETD.)

vum

To: The parties/Advocate concerned

Copy to:

1. The Motor Accident Claims Tribunal-IV, Small Causes Court, Chennai
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

C.M.A.No.1262 of 2023

09.12.2023