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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.Nos.2142 and 2685 of 2022

(Appeal against the award made in M.C.O.P.No.2359 of 2017, dated 17.12.2021 on the file of the Motor Accident Claims Tribunal / Special Sub Court II, Small Causes Court, Chennai.)

C.M.A.No.2142 of 2022:

M/s.United India Insurance Co.Ltd.
Siling Buildings, 4th Floor,
No.134, Greames Road,
Chennai -6.

... Appellant

Vs.

1. Sellammal
2.M.Selvi
3.M.Indira
4.M.Arulmurugan
5. Rani

.. Respondents

C.M.A.No.2685 of 2022:

1. Sellammal
2.M.Selvi
3.M.Indira
4.M.Arulmurugan

.. Appellants



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Vs.

1. Rani

2. M/s.United India Insurance Co.Ltd.
Siling Buildings, 4th Floor,
No.134, Greames Road,
Chennai -6.

... Respondents

Both the cases are taken up together for settlement before the National Lok Adalat. Both the parties are present. M/s.Ramya V. Rao, learned counsel appearing for the Claimants in C.M.A.No.285 of 2022 and for the respondents in C.M.A.No.2142 of 2022 and Mrs.R.Rathna Thara, learned counsel appearing for 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.23,90,500/-, 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 appellant / Insurance company has preferred the present appeal.

2. The Appellant Insurance Company and contesting respondents/claimants are appeared before this Lok Adalat and entered in a compromise on following terms;

(i) The appellant/Insurance Company is agreed to pay the award amount together with interest as ordered by the Tribunal.

(ii) The claimant-Sellammal / first respondent agreed to have confirmation of the award as ordered by the Tribunal.

(iii) The appellant agreed to deposit the entire award amount together with interest, after deducting any amount already deposited within a period of twelve(12) weeks from today, failing which, the above said sum shall carry an interest of 7.5% per annum.



(iv) It is stated that the appellant /Insurance company had deposited 50% of the award amount together with interest and the same is lying before the Tribunal. The first respondent /claimant - Sellamal is permitted to withdraw the amount deposited, immediately by filing appropriate application.

(iv) On deposit of the balance amount, the first respondent/Claimant-Sellammal is permitted to withdraw the said amount by making formal application.

3. Accordingly, the Tribunal is directed to transfer the amount through RTGS to the party on proper identification in accordance with the terms of the award, without insisting on any formal petition. The Award is passed accordingly.

Both the Civil Miscellaneous Appeals are disposed of accordingly. Consequently, the connected MP, if any, is closed.



M/s.United India Insurance Co.Ltd.
Siling Buildings, 4th Floor,
No.134, Greames Road,
Chennai -6.

Counsel for Appellant

1. Sellammal

2.M.Selvi

3.M.Indira

4.M.Arulmurugan

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



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S.SOUNTHAR, J.

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Copy to:

- 1.The Motor Accident Claims Tribunal / Special Sub Court II, 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

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11.03.2023