



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 9th day of September, 2023

NATIONAL LOK ADALAT AWARD

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

Presided over by

THE HON'BLE Mrs.JUSTICE N.MALA
and

Members

Mr. V.Arumugam, District Judge (Retired)

Mr. P.G.Perumalpandian, Advocate

C.M.A.No.1796 of 2022

(Appeal against the Judgment and Decree passed on 25.10.2021 in
M.C.O.P.No.140 of 2011 on the file of the Motor Accidents Claims Tribunal,
(Sub Court, Rasipuram)

The Managing Director,
Tamil Nadu Government Transport Corporation,
12, Ramakrishna Road, Salem 7.

...Appellant

Vs.

- 1.Ganesan, S/o.Marappan
- 2.Rajamani, W/o.M.Ganesan
- 3.Prabhu, S/o.M.Ganesan

...Respondents

On representation of the learned counsel for both sides, this case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.D.Nithin, learned standing counsel for the appellant and Mr.N.Manoharan, learned counsel for respondents 1 to 3 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

As against the claim of Rs.25,00,000/-, for the death of son of Respondents 1 & 2 and brother of the third Respondent, the Tribunal had awarded a sum of Rs.31,40,500/-, along with interest at the rate of 7.5% per annum. The parties have agreed to settle the claim at Rs.35,50,000/- (Rupees thirty five lakhs and fifty thousand only), in full quit.

2.The apportionment of the compensation agreed by the parties is to be fixed at Rs.11,00,000/- to the 1st Respondent, who is the Father of the deceased, Rs.17,50,000/- to the 2nd Respondent, who is the Mother of the deceased and Rs.7,00,000/- to the 3rd Respondent, who is the brother of the deceased.

3.The appellant/Transport Corporation is directed to deposit a sum of Rs.35,50,000/- (Rupees thirty five lakhs and fifty thousand only), after deducting the amount already deposited if any, within a period of twelve weeks from the date of receipt of a copy of this order. On such deposit, the claimants/respondents are permitted to withdraw the award amount, as per the apportionment fixed above, without filing any formal petition. Award is passed accordingly.

4.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. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petitions, if any, are closed.



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The Managing Director,
Tamil Nadu Government Transport Corporation,
12, Ramakrishna Road, Salem 7.

Counsel for the Appellant

- 1.Ganesan, S/o.Marappan
- 2.Rajamani, W/o.M.Ganesan
- 3.Prabhu, S/o.M.Ganesan

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 parties in the manner provided under 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.The Motor Accidents Claims Tribunal, (Sub Court, Rasipuram)
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R. Section, Madras High Court, Chennai.
- 4.The Section Officer, Lok Adalat Section, Madras High Court, Chennai.+2
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N.MALA, J.

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C.M.A.No.1796 of 2022

09.09.2023