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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 09th day of December 2023

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mrs.JUSTICE K.GOVINDARAJAN THILAKAVADI

and

Members

Mr.N.Balasubramanian

District Judge (Retd.)

Mr.R.Ganesan

Advocate

C.M.A.No.1703 of 2021

and

C.M.P.No.9003 of 2021

(Appeal against the judgment and decree passed on 01.02.2020 made in M.C.O.P.No.510 of 2018 on the file of the Motor Accident claims Tribunal(III Additional District and Sessions Court), Erode.

The Divisional Manager,
National Insurance Corporation Ltd.,
Salangapalayam
10/1, Opp. ENT Pirivu Arch,
Erode Main Road, Kavanthapadi (p),
Bhavani Taluk, Erode District.

.. Appellant

Vs.

1.Balasekaran
2.Sivamalar
3.C.Sivakumar

.. Respondents

This case came up for settlement before the National Lok Adalat. Both

the parties are present. The learned counsel for the appellant Mr.J.Chandran and



the learned counsel for the respondents 1 and 2, Mr.K.Varadha Kamaraj 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

Both the parties and their respective counsel are present.

2. The Tribunal has awarded a sum of Rs.28,46,600/-(Rupees Twenty Eighth Lakhs Forty Six Thousand and Six Hundred only) with interest at 7.5% p.a. from the date of petition till the date of deposit as compensation.

3. Aggrieved by the award, the appellant/National Insurance Corporation has preferred the present appeal. The appellant insurance company at the time of admission deposited 50% of the award with proportionate interest i.e. a sum of Rs.16,77,669/-. Now the claimant has agreed to receive a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) , over and above the amount already deposited, which is also acceptable by the appellant/Insurance Company.

4. The Appellant/Insurance Company is directed to deposit a sum of Rs.10,00,000/-(Rupees Ten Lakhs only), within a period of six weeks from the date of receipt of a copy of this order. The award of the Tribunal is modified accordingly.

5. The Tribunal is directed to issue the award amount through NEFT/RTGS to the party concerned on proper identification in accordance



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with the terms of the award, without insisting on any formal permission petition.

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6.The appeal is ordered accordingly. Consequently, the connected Miscellaneous Petition is closed.

The Divisional Manager,
National Insurance Corporation Ltd.,
Salangapalayam
10/1, Opp. ENT Pirivu Arch,
Erode Main Road, Kavanthapadi (p),
Bhavani Taluk, Erode District.

Counsel for the appellant

1.Balasekaran

2.Sivamalar

3.C.Sivakumar

Counsel for the respondents 1 &2

This National Lok Adalat award is passed in terms of the above settlement.

The 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



To

The parties/Advocate concerned

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Copy to:

1. The Motor Accident claims Tribunal(III Additional District and Sessions Court), Erode.
- 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.



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K.GOVINDARAJAN THILAKAVADI, J.

vsn

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and
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09.12.2023