



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 Hon'ble Mr.JUSTICE R.KALAIMATHI
and

Members

Mr.M.Sambasivam, District Judge (Retd)

Mr.Sai Srujan TAYI, Advocate

CMA No.2039 of 2021

Appeal against the Judgment and decree dated 30.04.2021 passed in M.C.O.P.No.201 of 2019 on the file of the Motor Accidents Claims Tribunal Judge, I Additional District Session Judge, Cuddalore.

1. Govindammal
2. C.Krishnasamy

...Appellants

Vs.

- 1.N.Sivakumar
2. The Divisional Manager,
The New India Assurance Company,
Puducherry.

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.Ramya V.Rao, learned counsel for appellants and Mr.Neethi Perumal, learned counsel for the second respondent is 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**

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The Tribunal has awarded a sum of Rs.10,84,160/- with interest at 7.5% per annum from the date of petition till the date of decree and costs as compensation. Aggrieved by the award of the Tribunal, the appellant had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.15,34,160/- (Rupees Fifteen Lakhs Thirty Four Thousand One Hundred and Sixty Only) i.e., 10,84,160/- with interest + 4,50,000/- in full quit without interest as compensation.

3. The 2nd respondent/Insurance Company is directed to deposit the above said accepted award amount of Rs.15,34,160/- (Rupees Fifteen Lakhs Thirty Four Thousand One Hundred and Sixty Only), i.e., 10,84,160/- with interest + 4,50,000/- in full quit without interest after deducting the amount already deposited if any, within a period of eight weeks under two instalments from the date of receipt of a copy of this award.

4. On such deposit, the claimants/appellants are permitted to withdraw the modified amount without filing any formal petition. Award is passed accordingly.

5. 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. The connected miscellaneous petition is closed, if any.

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1. Govindammal
2. C.Krishnasamy

Counsel for the Appellant

- 1.N.Sivakumar
- 2.The Divisional Manager,
The New India Assurance Company,
Puducherry.

Counsel for the 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.

Judge

Member

Member

To:
The parties/Advocate concerned

Copy to:

- 1.The First Additional District and Sessions Judge,
(Motor Accidents Claims Tribunal) Cuddalore.
- 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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R.KALAIMATHI.J.,

kmm/gd

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11.03.2023