



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 9th 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 Mr.JUSTICE G.CHANDRASEKHARAN, J.
and

Members

Mr.M.Sambasivam, District Judge (Retd)

Mr.E.V.Chandru @ E.Chandrasekaran, Advocate

CMA No.2012 of 2021

Appeal against the Judgment and decree dated 26.02.2021 passed in M.C.O.P.No.1964 of 2017 on the file of the Motor Accidents Claims Tribunal/Ist Additional District Session Judge, Cuddalore.

1.Thangamani

2.P.Maniyammal

3.M.Manibalan

...Appellants

Vs.

1.D.Paramasivam

2.The Divisional Manager,
National Insurance Company Ltd,
Division Office,
110 J.N Street,
Puducherry -605 001.

...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 Ms.R.Srividhya for **Mr.J.Michael Visuvasam**, 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:



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TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.8,74,444/- 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 appellants have preferred the present appeal.

2. The learned counsel for the second respondent / Insurance Company submitted that the award amount along with interest had already been deposited before the trial Court. She further submitted that, in addition to the award amount, now the second respondent has come forward to deposit a sum of Rs.6,00,000/- over and above the amount awarded by the tribunal as full quit without interest as compensation.

3. The second respondent / Insurance Company is directed to deposit the above said accepted award amount of Rs.6,00,000/- (Rupees Six Lakhs Only) in full quit without interest, within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the claimants are permitted to withdraw the same as per the apportionment awarded by the trial Court, without filing any formal application. Award is passed accordingly.

5. The Tribunal is directed 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.Thangamani

2.P.Maniyammal

3.M.Manibalan

Counsel for the Appellant

The Divisional Manager,
National Insurance Company Ltd,
Division Office,
110 J.N Street,
Puducherry -605 001.

Counsel for the second 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 Motor Accidents Claims Tribunal/Ist Additional District Session Judge, 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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4

G.CHANDRASEKHARAN, J.

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09.09.2023