



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday the 14th day of October 2023
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

THE HONOURABLE Mr.JUSTICE **C.KUMARAPPAN**
and

Members:

- 1.Ms.J.SHANTHI
- 2.Mr.K.V.MUTHUVISAKAN

C.M.A.No.2583 of 2021

Civil Miscellaneous Appeal is filed to enhance the compensation in M.C.O.P.No.308/2015 dated 25.02.2021 on the file of the Motor Accidents Claim Tribunal and Special (Sub-Court) Coimbatore.

- 1.Nirmaladevi
- 2.V.ShanmathiSuha
- 3.Minor.SabarmathiJeeva

Represented by her guardian mother Mrs.Nirmaladevi.

- 4.Minor.Sowjanyaamathi

Represented by her guardian mother Mrs.Nirmaladevi.

- 5.Kamalaveni

... Appellants

Vs.

- 1.R.Bommuraj
- 2.R.Harshavardhan
- 3.M/s.National Insurance Co.Ltd.,
Regional office at Second Floor,
CSX Towers, Stock Exchange Building,
684, Trichy Road,
Coimbatore,
Tamil Nadu-641005.

... Respondents

With the consent of both the parties, this case is taken up for settlement before this Lok Adalat. Both the parties are present Mr.N.Umapathi, learned counsel for appellants and Mrs.N.B.Sureka and Mr.Arun Kumar, learned counsel for the third respondent 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

The Tribunal has awarded a sum of Rs.22,37,500/-with interest at the rate of 7.5% per annum from the date of petition till the date of realization. Aggrieved by the said award, the appellant has preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed that the third respondent/Insurance Company had already deposited the amount, as awarded by the Tribunal. Now it is mutually agreed by both the appellant and the third respondent/Insurance Company to pay a sum of Rs.12,50,000/- over and above the Tribunal's award amount as full quit with inclusive of interest. The Insurance Company is directed to deposit the said amount of Rs.12,50,000/- within a period of six (6) weeks from the date of receipt of a copy of this award. On such deposit, the claimants are entitled to have share as apportioned by the Tribunal. In the total award amount, the claimants 1 to 3 & 5 are entitled to withdraw the entire award amount. The amount awarded to the minor claimant/4th appellant is directed to be deposited in any one of the Nationalised Bank till the minor attained majority.

3. The Tribunal is directed to issue the cheque to the party on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

4. The Civil Miscellaneous Appeal is disposed of accordingly.



1.Nirmaladevi

2.V.ShanmathiSuha

3.SabarmathiJeeva

4.Minor.Sowjanyaathi

Represented by her guardian mother Mrs.Nirmaladevi.

5.Kamalaveni

Counsel for Appellants

1.R.Bommuraj

2.R.Harshavardhan

3.M/s.National Insurance Co.Ltd.,
Regional office at Second Floor,
CSX Towers, Stock Exchange Building,
684, Trichy Road,
Coimbatore,
Tamil Nadu-641005.

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



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C.KUMARAPPAN, J.

veda/kmi

To: The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claim Tribunal and Special (Sub-Court) Coimbatore
- 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

C.M.A.No.2583 of 2021

14.10.2023