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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 11th day of March 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.E.V.Chandru
Advocate

C.M.A.No.2388 of 2021

(Appeal against the judgment and decree passed on 28.02.2020 made in M.C.O.P.No.2184 of 2016 on the file of the Motor Accidents Claims Tribunal/ Chief Officer, Tirrupur)

National Insurance Company Limited,

Court Street,

Tiruppur.

.. Appellant

Vs.

1.Thirumathi Poovathal

2.T.Felix

3.Senthil Kumar

.. Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the appellant Mr.N.B.Sureka and the learned counsel for the first respondent, Mr.K.Myilsamy are present. No appearance for the second and third respondents. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a

<https://www.mhc tn.gov.in/judis>
compromise to settle the matter as follows:



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TERMS OF SETTLEMENT

Both the parties and their respective counsel are present.

2. The Tribunal has awarded a sum of Rs.25, 07,500/-(Rupees Twenty five lakhs seven thousand and five hundred only) with interest at 7.5% p.a. from the date of petition to till the date of deposit as compensation.

3. Aggrieved by the award, the appellant/Insurance Company has preferred the present appeal, challenging the quantum of compensation.

4. Now the 1st respondent has agreed to receive a sum of Rs.22,50,000/-(Rupees Twenty two lakhs and fifty thousand only) along with interest of 7.5 % from the date of petition to till the date of deposit with cost, which is also acceptable by the appellant. Hence, the appellant/Insurance Company is directed to deposit the agreed amount, less already deposited within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the claimants are permitted to withdraw the Award amount after deducting the amount already withdrawn by the claimant, if any. Award is passed accordingly.

5. The Tribunal is directed to issue the award amount through NEFT/RTGS to the party 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.

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Counsel for the appellant



National Insurance Company Limited,

Court Street,

Tiruppur.

Counsel for the first respondent

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

Member

Member

To

The parties/Advocate concerned

Copy to:

1. Motor Accidents Claims Tribunal/ Chief Officer, Tiruppur)
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

C.M.A.No.2388 of 2021

11.03.2023