



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 8th day of JULY, 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 B.GOKULDAS (Retd.)
and

Members

MR.J.JUSTIN DAVID, DISTRICT JUDGE, (Retd)

Mrs.S.S.JHOTHIVANI, ADVOCATE

CMA No.2391 of 2021

Appeal against the Judgment and decree dated 30.01.2020 in MCOP No.237 of 2017 on the file of the Motor Accident Claims Tribunal, (Additional Sub Court), Vriddhachalam.

Shriram General Insurance Co.Ltd.,
Represented by its Manager,
No.5, First floor, Ramachandran Street,
Chennai – 600 096.

...Appellant

Vs.

1. Divia Infant Raj.W
2. Sureshbabu

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.S.Dhakshnamoorthy, learned counsel for appellant/Insurance Company and Mr.R.Gopinath, learned counsel for the first 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.10,39,200/- with interest at 7.5% per annum from the date of numbering of petition till the date of realisation as compensation. Aggrieved by the award of the Tribunal, the appellant / Insurance Company 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.8,00,000/- (Rupees eight Lakhs only) in full quit as compensation.

3. The appellant /Insurance Company is directed to deposit the above said accepted award amount of Rs.8,00,000/- (Rupees eight Lakhs only), after deducting the amount already deposited if any, within a period of four weeks. The second respondent has been set *ex-parte* before the Lower Court.

4. On such deposit, the claimant/first respondent is permitted to withdraw the modified amount without filing any formal petition.

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, with out insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

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.

Shriram General Insurance Co.Ltd.,
Represented by its Manager,
No.5, First floor, Ramachandran Street,
Chennai – 600 096.

Counsel for the Appellant

Divia Infant Raj.W

Counsel for the 1st Respondent

Judge

Member

Member

To:
The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal, Additional Sub Court, Vriddachalam.
- 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

B.GOKULDAS,J. (Retd.)

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08.07.2023