



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organized by the High Court Legal Services Committee
Saturday, the 9th day of September, 2023

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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
and

Member :

Mr.Sambasivam, District Judge (Retd.)
Mr.E.V.Chandru @ E.Chandrasekaran, Advocate

C.M.A.No.1187 of 2023

Appeal against the Judgment and Decree dated 28.10.2022 passed in
M.C.O.P.No.6728 of 2016 on the file of the Motor Accidents Claims Tribunal,
(III Small Causes Court), Chennai.

K.Kumar

... Appellant

Vs.

1.S.Muthukumaran
S/o.Somu,
No.182, Kizhandai Street,
Vayalur,
Vandavasi Taluk,
Thiruvannamalai District – 604 501.

2.National Insurance Company Limited,
Regina Mansion,
No.46, Moore Street,
Parrys, Chennai – 600 001.

... Respondents



This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Ms.Ramya Rao, learned counsel for appellant and Mrs.R.Sree Vidhya, learned counsel for the second respondent / Insurance Company 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.2,09,500/- 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 has 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.2,50,000/- 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.2,50,000/- (Rupees Two Lakhs and fifty thousand Only) in full quit, within a period of six weeks from today.

4. On such deposit, the claimant is permitted to withdraw the same, without filing any formal petition. 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, if any, is closed.

K.Kumar

Counsel for the Appellant

National Insurance Company Limited,
Regina Mansion,
No.46, Moore Street,
Parrys, Chennai – 600 001.

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 2 r/w 25 of LSA Act 1987 as amended in 1994.

Judge

Member

Member



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G.CHANDRASEKHARAN, J.

rjr

To: The parties/Advocate concerned

Copy to:

- 1.The Judge, (III Small Causes Court), Chennai.
Motor Accidents Claims Tribunal, Chennai
- 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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09.09.2023