



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 11th day of February 2023

NATIONAL LOK ADALAT

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by
The Hon'ble Mrs.JUSTICE T.V.THAMILSELVI
and

Members

1. Mr. P.Rosiah, District Judge (Retd)
2. Ms.A.Veeramarthini, Member

C.M.A.No.3124 of 2021

This Civil Miscellaneous Appeal has been filed against the Award in
M.C.O.P. No.380 of 2018 dated 08.06.2020 on the file of the Motor Accidents
Claims Tribunal/1st Additional District and Sessions Judge, Cuddalore.

1.S.Kalaivani
2.Minor S.Raghavi
3.Minor S.Manikandan
(Minors 2nd and 3rd petitioners
are represented by their mother as
guardian 1st petitioner S.Kalaivani)

.. Appellants

Vs.

1.G.Nagarajan
2.The Divisional Manager,
The New India Assurance Company Limited,
DO III Floor No.179, JN Street,
Puducherry - 605 001.
(1st Respondent remained ex-parte
before the Tribunal)

.. Respondent

This case came up for settlement before the Lok Adalat. Both the parties
are present. Mr.Ramya V.Rao, learned counsel for the Appellants, and

Mr.C.Ramesh Babu, learned Advocate for the Second 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.17,40,052/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit with cost. The Tribunal has already deposited the amount and the same has been withdrawn by the Tribunal.

2. Not satisfied with the award of the Tribunal, the claimants / appellants has preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.4,00,000/- (Rupees Four Lakhs only) without interest by over and above the award amount passed by the Tribunal as enhanced compensation.

3. The second respondent / Insurance Company is directed to deposit the enhanced award amount of Rs.4,00,000/- without interest within a period of eight weeks from the date of receipt of a copy of this order, after deducting the amount already deposited, if any.

4. On such deposit being made, the appellants 1, 2 and 3 are permitted to withdraw their entire award amount, in the same ratio as apportioned by the Tribunal without filing any formal petition before the Tribunal. The Award is passed accordingly.



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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, without insisting on any formal permission petition.

6. The Civil Miscellaneous Appeal is disposed of accordingly.

1.S.Kalaivani

2.Minor S.Raghavi

3.Minor S.Manikandan
(Minors 2nd and 3rd petitioners
are represented by their mother as
guardian 1st petitioner S.Kalaivani)

Counsel for the Appellants

The Divisional Manager,
The New India Assurance Company Limited,
DO III Floor No.179, JN Street,
Puducherry - 605 001.

Counsel for the Respondent

This Lok Adalat award is passed in terms of the above settlement.



provided under Section 69-A of the Tamil Nadu Court Fees and suits Valuation

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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

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
The First Additional District and Sessions 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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T.V.THAMILSELVI, J.

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C.M.A.No.3124 of 2021

11.02.2023