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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.1540 of 2021

Civil Miscellaneous Appeal is filed against the order made in M.C.O.P.No.374 of 2019 dated 13.02.2020 on the file of the Motor Accidents Claims Tribunal, Special Subordinate Court No.II, Salem.

The National Insurance Company Limited,
Divisional Office-1,
L.R.N. Colony,
Saradha College Main Road,
Salem – 636 007

... Appellant

Vs.

1.C.Raja

2. G.Sakthivel

.. Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. Mrs.N.B.Sureka, the learned counsel for the appellant and Mr.S.P.Yuaraj, the learned counsel for the respondents 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**

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The Tribunal has awarded a sum of Rs.24,99,681/- 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 have agreed to settle on payment of a sum of Rs.24,50,000/- (Rupees Twenty Four Lakhs Fifty Thousand only) along with the interest at the rate of 7.5% per annum of the claim as compensation.

3. The appellant / Insurance Company shall deposit the award amount less the amount already deposited, if any, within a period of Six weeks from the receipt of copy of this order. On such deposit being made, the claimant/respondent is permitted to withdraw the entire award amount without filing any formal petition. Award is modified accordingly.

4. 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.



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5. The learned counsel for the first respondent has withdrawn the connected C.M.A.No.2585 of 2021, which is arisen out of the same amount.

6. The Civil Miscellaneous Appeal is disposed of accordingly.

The National Insurance Company Limited,
Divisional Office-1,
L.R.N. Colony,
Saradha College Main Road,
Salem – 636 007

Counsel for the Appellant

C.Raja

Counsel for the Respondent

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

The 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



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Member

Member

C.KUMARAPPAN, J.

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To: The parties/Advocate concerned

Copy to:

- 1.Motor Accidents Claims Tribunal, Special Subordinate Court No.II, Salem.
- 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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14.10.2023