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

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by

The Hon'ble Mr.JUSTICE SATHI KUMAR SUKUMARA KURUP
and

Members

Mr.M.Pughazhendi, District Judge (Retd.)
Mr.R.Singaravelan, Senior Advocate

C.M.A.No.2940 of 2021

(Appeal against the judgment and decree passed in M.C.O.P.No.2407 of 2016 dated 14.11.2019 on the file of the Motor Accidents Claims Tribunal, Court of Small Causes - II, Chennai.

M/s. United India Insurance
Company Limited,
Motor Third Party Claims Hub,
'Sillingi Buildings'
No.134, Greams Road,
Chennai – 600 006.

... Appellant

Vs

1. C.Banupriya
2. Minor C.Naveen Pandi

3. Minor C.Gokulakannan
Both the Minors are represented by
their mother and next friend
C.Banupriya

4. P.Duraisamy Gouonder
5. D.Chellammal
6. P.Muthusamy .

... Respondents

This case is taken up for settlement before the National Lok Adalat.

D.Baskaran, learned counsel for the Appellant and Mr.Amar Dineshbai Pandiya,



learned counsel for the Respondents are present before this Court.

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.40,47,500/- along with interest at the rate of 7.5% per annum. Aggrieved by the said award amount, the Appellant/Insurance Company preferred this Appeal.

2. During the pendency of the Appeal, the Insurance Company arrived at a settlement, thereby, the Claimants/Respondents have agreed to receive the reduced award amount of Rs.30,14,600/- with interest.

3. The Appellant/Insurance Company is directed to deposit Rs.30,14,600/- with interest at the rate of 7.5% per annum, within a period of eight weeks from today (11.02.2023).

4. The award amount apportioned are as follows:

(i) First Claimant/Widow is entitled to withdraw Rs.10,14,600/- along with accrued interest.

(ii) Second and third Claimants/ Minor Children are entitled to a sum of Rs.7,00,000/- each and the same shall be deposited in a nationalised bank in a fixed deposit till the minor claimants attain majority and the accrued interest shall be credited into the account of the mother of the minor claimants regularly once in three months.

(iii) Fourth and Fifth Claimants/Parents of the deceased are entitled to withdraw Rs.3,00,000/- each along with accrued interest.



Consequently, connected miscellaneous petition, if any, is closed.

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M/s. United India Insurance
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Motor Third Party Claims Hub,
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... Appellant

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4. P.Duraisamy Gouonder

5. D.Chellammal

6. P.Muthusamy Respondents

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

The full Court fees paid shall be refunded to the parties in the manner provided under 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



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Copy to:

- 1.The Motor Accidents Claims Tribunal,
- 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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SATHI KUMAR SUKUMARA KURUP, J.

dh

C.M.A.No.2940 of 2021

11.02.2023