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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 10th day of June, 2023

NATIONAL LOK ADALAT

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

THE HON'BLE MR.JUSTICE P.B.BALAJI

and

Members

1. Mr.Cibi Vishnu,
Advocate
2. Mr.K.Balasubramaniyan District Judge (Retd.)

C.M.A.No.1721 of 2022

This Civil Miscellaneous Appeal is filed against the order made in M.C.O.P. No.3012 of 2016 dated 09.03.2022 on the file of the Motor Accident Claims Tribunal Judge/I Additional District and Sessions Judge, Cuddalore.

- 1.R.Thenmozhi
- 2.Minor Raghul
- 3.Pandiyan
- 4.Sarada

.. Appellants

Vs

The Managing Director,
Tamil Nadu State Transport Corporation Limited
(Villupuram Division),
No.3/137, Salamedu Vazhuthareddy,
Villupuram - 605 602.

.. Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. M/s.V.Ramya V.Rao, the learned counsel for the appellants and Mr.T.Chandrasekaran, the learned counsel for the 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.18,16,500/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit with cost. Aggrieved by the award of the Tribunal, the appellant had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to settle the case for a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs Only) in full quit.

3. It is reported by the learned counsel for the appellants that the 4th appellant died, but no death certificate is produced. The death of the 4th appellant/4th claimant is recorded. However, the share amount of the deceased 4th appellant/4th claimant shall be given to her legal heirs, after filing necessary application before the Tribunal. The appellants 1 & 3 are permitted to withdraw their respective shares of the award amount. The share of the minor 2nd appellant/2nd claimant is directed to be deposited in any one of the Nationalised Banks till he attain majority and the first appellant/mother of the minor claimant is permitted to withdraw the accrued interest once in a period of three months for the welfare of the minors. Award is modified accordingly.



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4. The Tribunal is directed to transfer the amount through RTGS/NEFT to the parties concerned, as stated above, on proper identification in accordance with the terms of the award, as per the apportionment already made by the Tribunal. Consequently, the connected miscellaneous petition, if any, is closed.

5. This Civil Miscellaneous Appeal is disposed of accordingly.

R.Thenmozhi

Pandiyan

Sarada

Counsel for the Appellants

The Managing Director,
Tamil Nadu State Transport Corporation Limited
(Villupuram Division),
No.3/137, Salamedu Vazhuthareddy,
Villupuram - 605 602.
Respondent

Counsel for the

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

P.B.BALAJI, J.

dhk/arb

To

The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal Judge/I 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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10.06.2023