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

The Hon'ble Mr.JUSTICE J.SATHYA NARAYANA PRASAD
and

Members

Mr.N.Balasubramanian, District Judge (retd)
Mr.K.V.Muthuvisakan, Advocate

C.M.A.No.1831 of 2022

(Appeal against the judgment and decree passed on 21.04.2022 made in MCOP.No.2603 of 2018 on the file of the Motor Accidents Claims Tribunal cum I Additional District and Sessions Judge, Cuddalore.

The Chief Manager,
The Oriental Insurance Co. Ltd.,
No.216, Old No.115,
Prakasam Salai,
Broadway,
Chennai - 600 108.

.. Appellant

/versus/

1. Amrithavalli

2. V.Elangovan

.. Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.S.Senthilkumar, learned counsel for appellant and Ms.V.Ramya V.Rao, learned counsel for the first 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

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The Tribunal has awarded a sum of Rs.5,39,943/- with interest at the rate of 7.5% per annum as compensation to the first respondent/claimant. Challenging the same, the appellant/Insurance Company has preferred this appeal.

2. This Court by an order dated 23.08.2022 granted an order of interim stay on condition that the appellant shall deposit the 50% of the award amount with accrued interest and costs, less the amount already deposited to the credit of MCOP.No.2603 of 2018 on the file of the learned I Additional District and Sessions Judge, Motor Accidents Claims Tribunal, Cuddalore, within a period of four weeks from the date of receipt of the order. Accordingly, the appellant had complied with the condition and the claimant is willing to withdraw the deposited amount.

3. Now, after due deliberation and consultation, both the parties have agreed to deposit a sum of Rs.2,65,000/- (Rupees Two Lakhs Sixty Five Thousand Only) in addition to the amount which was already deposited, in full quit (inclusive of interest) and the same is hereby, awarded. The award is modified accordingly.

4. The appellant is directed to deposit a sum of Rs.2,65,000 (Rupees Two Lakhs Sixty Five Thousand Only) in full quit (inclusive of interest) within a period of six weeks from the date of receipt of a copy of this order. On such deposit being made, the Tribunal shall transfer the deposited amount to the Bank account of the first respondent/claimant by way of NEFT/RTGS, on



proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

5. Accordingly, the Civil Miscellaneous Appeal is disposed of.

The Chief Manager,
The Oriental Insurance Co. Ltd.,
No.216, Old No.115,
Prakasam Salai,
Broadway,
Chennai - 600 108.

Counsel for the Appellant

Amrithavalli

Counsel for the first 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 21 r/w 25 of LSA Act 1987 as amended in 1994.

Judge

Member

Member



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J.SATHYA NARAYANA PRASAD, J.

vm/mn

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, (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

C.M.A.No.1831 of 2022

Dated : 11.02.2023