



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services
Committee

Saturday the 11th day of February 2023

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Honourable Mr.JUSTICE MOHAMMED SHAFFIQ
and

Members:

- 1.Mr.R.Ravindra Bose
2. Mr.C.Samivel

C.M.A.No.3375 of 2014

(Appeal against the judgment and decree passed in
M.C.O.P.No.364/2007 on 31.10.2012 by the Motor Accident Claims
Tribunal, IV Additional District Court, Ponneri.

- 1.P.Amaravathy
- 2.Minor Venmani
- 3.Minor Venmathi
- 4.Minor Mukesh Kumar

... Appellants

Vs.

- 1.S.Prakash
- 2.The Manager,
National Insurance Co.Ltd.,
Office at No.C 32-2, Avenue,
Thirumangalam,
Anna Nagar, Chennai – 40.

.. Respondents



With the consent of both the parties, this case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr. Rathinavel, learned counsel for appellants and Mr. Arun Kumar, learned counsel 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.

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.29,83,776/- 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 agreed that the **second** respondent/Insurance Company had already deposited the amount, as awarded by the Tribunal and the same has already been withdrawn by the appellants/claimants. Now the **second** respondent/Insurance Company has agreed to pay a sum of Rs.13,00,000/- over and above the Tribunal's award amount, taking into account of the future prospects, which was not awarded. However, the Insurance Company has agreed to pay the said sum of Rs.13,00,000/- as full quit. The Insurance Company is directed to deposit the said amount of Rs.13,00,000/- within a period of eight weeks from the date of receipt of a copy of this order. On such deposit, the claimants are permitted to withdraw the said amount of Rs.13,00,000/- without filing any formal petition.



3. As full quit, it is submitted that the above sum shall be paid in the following manner :-

1. Rs. 4,00,000/- to the first petitioner and
2. Rs.3,00,000/- each to the petitioners 2 to 4, who have stated to have attained majority and
3. undertaking to file the declaration.

4. The Tribunal is directed to issue the cheque to the party on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

1.P.Amaravathy

2.Minor Venmani

3.Minor Venmathi

4.Minor Mukesh Kumar

Counsel for Appellants

The Manager,
National Insurance Co.Ltd.,
Office at No.C 32-2, Avenue,
Thirumangalam,
Anna Nagar, Chennai – 40.

Counsel for Second Respondent



WEB COPY 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

To: The parties/Advocate concerned

Copy to:

- 1.The Manager, National Insurance Co.Ltd., Office at No.C 32-2, Avenue, Thirumangalam, Anna Nagar, Chennai – 40.
- 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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MOHAMMED SHAFFIQ., J

at/Maya

C.M.A. No. 3375 of 2014

11.02.2023