



CMA 2967 of 2021

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 13th day of May 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 K.KUMARESH BABU
and

Members

Mr.N.Balasubramanian, District Judge (Retired)

Mr.M.Muthukannan, Advocate

C.M.A. No.2967 of 2021
and
C.M.P.No.16915 of 2021

(Appeal against the judgment and decree passed on 07.12.2020 in M.C.O.P.No.741 of 2017 on the file of the Motor Accident Claims Tribunal, III Additional District Court, Vriddhachalam.

Divisional Manager,
Sriram General Insurance Company Limited,
Plot No.5, First Floor,
Ramachandran Street,
Perungudi, Chennai – 96.

.. Appellant

Vs;.

1. Kala
2. Saranya
3. Minor Sandhya
(Minor represented her mother
Mrs.Kala, the first respondent herein)
4. Vasantha
5. Nagaraj

.. Respondents

On representation of the counsel for both sides this case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.S.Dhakshnamoorthy, the learned counsel for the Appellant and



Mr.P.Senthil Kumar, learned counsel for the respondents 1 to 4 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.14,55,200/- with interest at 7.5% per annum from the date of petition till the date of deposit and costs as compensation. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal.

2. The respondents 1 to 4, the claimants had preferred the claim, being the legal heirs of the deceased Sekar, an award of Rs.14,55,200/- together with interest had been made totalling to a sum of Rs.19,13,588/-. Now, the appellants and respondents 1 to 4 have agreed to settle the dispute to a full and final quit to a sum of Rs.17,86,698/- (Rupees Seventeen Lakhs Eighty Six Thousand Six Hundred and Ninety Eight only). The respondents 1 to 4 are present before the Lok Adalat in person.

3. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.17,86,698/- (Rupees Seventeen Lakhs Eighty Six Thousand Six Hundred and Ninety Eight only) with interest at 7.5% p.a. from the date of claim petition till the date of deposit as compensation.

4. The appellant / Insurance company is directed to deposit the above said modified award amount of Rs.17,86,698/- (Rupees Seventeen Lakhs Eighty Six Thousand Six Hundred and Ninety Eight only) with interest, after deducting the amount already deposited, if any, within a period of eight weeks from the date of receipt of a copy of this order. On such deposit, the claimants / respondents 1 to 4 are permitted to withdraw the modified



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amount, as per the apportionment, as ordered by the Tribunal, without filing any formal petition. Award is passed accordingly.

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5. 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. The Civil Miscellaneous Appeal is disposed of accordingly. The connected miscellaneous petition is closed.

Divisional Manager,
Sriram General Insurance Company Limited,
Plot No.5, First Floor,
Ramachandran Street,
Perungudi, Chennai – 96.

Counsel for the Appellant

1. Kala
2. Saranya
3. Minor Sandhya
(Minor represented her mother
Mrs.Kala, the first respondent herein)
4. Vasantha

Counsel for the respondents 1 to 4

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

Lpp/gba



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K.KUMARESH BABU, J

Lpp/gba

To: The parties/Advocate concerned

Copy to:

1. The Motor Accident Claims Tribunal,
III Additional District Court, Vriddhachalam.
2. The Divisional Manager,
Sriram General Insurance Company Limited,
Plot No.5, First Floor,
Ramachandran Street,
Perungudi, Chennai – 96.
3. The Secretary, High Court Legal Services Committee, Chennai.
4. The Section Officer, V.R. Section, High Court, Madras.
5. The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies

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13.05.2023