



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 Hon'ble Mr.JUSTICE B.GOKULDAS (Retd.)
and

Members

Mr.V.ARUMUGAM, District Judge (Retd)

Mrs.VIJAYALAKSHMI K.RAJARATNAM

CMA No.2739 of 2021

and

CMP No.15699 of 2021

Appeal against the Judgment and decree dated 11.06.2019 passed in
M.C.O.P.No.430 of 2015 on the file of the Motor Accidents Clam Tribunal,
Kanchipuram (District Court - II) Kanchipuram.

The Managing Director,
Tamil Nadu State Transport
Corporation Limited,
No.1, 2 Sheikpet Nadu Street,
Division - III, Kancheepuram.

...Appellant

Vs.

M.Munusamy (died)

1.M.Suseela

W/o.late M.Munusamy

2.Minor M.Suganya

D/o.Late M.Munusamy

3.Minor M.Vinayagamoorthy

S/o Late M.Munusamy

(Minors 2 and 3 are represented by their

Natural guardian Next friend and Mother 1st respondent - Mrs.Suseela)



4.M.Kamatchi
w/o.Mani

5.V.Mani

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.C.R.Suresh Kumar, learned counsel for appellant/Transport Corporation and Mr.M.Sivakumar for Mr.C.Prabakaran, learned counsel for the respondents 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.12,38,800/- with interest at 7.5% per annum from the date of petition till the date of full payment as compensation. Aggrieved by the award of the Tribunal, the appellant / Transport Corporation had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.21,50,000/- (Rupees Twenty One Lakhs and Fifty Thousand only) in full quit (inclusive of interest) as compensation.

3. The appellant / Transport Corporation is directed to deposit the above said accepted award amount of Rs.21,50,000/- (Rupees Twenty One Lakhs and Fifty Thousand only), after deducting the amount already deposited if any, within a period of eight weeks under two instalments from the date of receipt of a copy of this award. If the payment has not been made within the time stipulated, the appellant is directed to pay the amount along with interest at the rate of 6.5% till the date of realization.



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4. The modified amount shall be apportioned among the claimants / respondents 1 to 5 as follows:-

R1 (Wife)	-	Rs.10,00,000/-
R2	-	Rs. 5,00,000/-
R3	-	Rs. 5,00,000/-
R4(mother)	-	Rs. 75,000/-
R5(father)	-	Rs. 75,000/-

The share of the minor children shall be deposited in any of the Nationalised Bank until they attain majority. Interest accrued thereon shall be withdrawn by the mother of the children once in three months directly from the Bank.

5. On such deposit, the claimants/respondents are permitted to withdraw the modified amount without filing any formal petition.

6. 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. Consequently, connected miscellaneous petition is also closed.

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.



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The Managing Director,
Tamil Nadu State Transport
Corporation Limited,
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Appellant

Counsel for the

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4.M.Kamatchi
w/o.Mani

5.V.Mani
respondents

Counsel for the

Judge

Member

Member



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To:
The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Clam Tribunal, Kanchipuram (District Court - II)
Kanchipuram.
- 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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B.GOKULDAS,J. (Retd.)

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11.02.2023