



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 11th day of March, 2023

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mrs. Justice R.KALAIMATHI
and

Members

Mr.M.Sambasivam, District Judge (Retd)

Mr.Sai Srujan TAYI, Advocate

C.M.A.No.2942 of 2021

Appeal against the Judgment and decree in M.C.O.P.No.2501 of 2017 dated 28.07.2021 on the file of the Motor Accident Claims Tribunal, Additional District and Sessions Judge, Cuddalore.

- 1.E.Sivapriya
- 2.Minor E.Kavinaya
- 3.Minor E.Magizhvelan
- 4.M.Picha Pillai
- 5.P.Bakkiyam @ Bakkiyavathi

(Minor Petitioners rep.by
mother, guardian, NF E.Sivapriya the
1st petitioner herein).

...Appellants

Vs.

- 1.K.Durairaj

2.The Divisional Manager,
The New India Assurance Company Ltd.,
DO. No.179, III Floor, JN Street,
Puducherry-605 001.

...Respondents

This case is taken up for settlement before the National Lok Adalat.
Both the parties are present. Mrs.Ramya V.Rao learned counsel for appellant



and Mrs.S.Dhakshnamoorthy, learned counsel for the 2nd respondent / Insurance Company 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.76,47,180/- with interest at 7.5% per annum from the date of numbering of petition till the date of realisation as compensation. 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 add (over and above) the award to a sum of Rs.7,50,000/- (Rupees Seven Lakhs and Fifty Thousand only) in full quit (without interest) as compensation.

3. The 2nd Respondent / Insurance Company is directed to deposit the above said accepted award amount of Rs.7,50,000/- (Rupees Seven Lakhs and Fifty Thousand only) after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of a copy of this award.

4. On such deposit, the 1st appellant/ 1st claimant is permitted to withdraw the Rs.6,00,000/- and 5th appellant/5th claimant is permitted to withdraw Rs.1,50,000/-, without filing any formal petition.

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, with out insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.



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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.

E.Sivapriya

P.Bakkiyam @ Bakkiyavathi

Counsel for the Appellants

The Divisional Manager,
The New India Assurance Company Ltd.,
DO. No.179, III Floor, JN Street,
Puducherry-605 001.

Counsel for the 2nd Respondent

Judge

Member

Member



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R.KALAIMATHI,J.,

ssn

To:
The parties/Advocate concerned
Copy to:

- 1.The Motor Accident Claims Tribunal, 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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C.M.A.No.2942 of 2021

11.03.2023