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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 8th day of July, 2023

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.P.G.Kumaraguru

C.M.A.No.3419 of 2021

(Appeal against the award made in MCOP No.3851 of 2017 dated 20.08.2020 on the file of the Motor Vehicles Accident Claims Tribunal, Special Sub Court No.I, Small Causes Court, Chennai)

1.Chinnaponnu
2.Siva
3.Sekar
4.Revathy
5.Muthammal

... Appellants

Vs.

1.G.Mahalakshmi
2.National Insurance Company Limited,
T.P.Cell, No.46, 3rd floor,
Moore Street, Chennai - 1
(R1 set exparte before the Tribunal)

.. Respondents

At request of the parties, the matter is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.U.Chithambaram, learned counsel for the appellants and Mr.M.Krishnamoorthy, learned counsel for second 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**

The Tribunal has awarded a compensation of Rs.12,64,000/- [Rupees Twelve Lakhs and Sixty Four Thousand only) along with interest at 7.5% per annum from the date of petition till realisation. It is reported that the compensation awarded by the Tribunal had already been deposited by the second respondent Insurance company along with proportionate interest and the same had also been withdrawn by the appellants/claimants.

2. Being not satisfied with the quantum of compensation awarded by the Tribunal, the appellants/claimants have come up with this appeal.

3. Now, both the parties have arrived at a settlement. It is reported that the second respondent insurance company has offered to pay a further compensation of a sum of Rs.2,25,000/- (Rupees Two Lakhs and Twenty Five Thousand only) over and above the amount awarded by the Tribunal in full quit and the same has also been agreed by the appellants/ claimants, without any further claims.

4. In view of the above, the second respondent Insurance company is directed to deposit the enhanced amount of Rs.2,25,000/- (Rupees Two Lakhs and Twenty Five Thousand only) within a period of four weeks from the date of receipt of a copy of this order. On such deposit, the appellants/claimants are entitled to withdraw the same 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, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.



2.Siva

3.Sekar

4.Revathy

5.Muthammal

Counsel for Appellants

National Insurance Company Limited,
T.P.Cell, No.46, 3rd floor,
Moore Street, Chennai - 1

Counsel for the 2nd Respondent

This Lok Adalat award has 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.Motor Vehicles Accident Claims Tribunal, Special Sub Court No.I, Small Causes Court, Chennai
- 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

vkrr/kas

J.SATHYA NARAYANA PRASAD, J



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08.07.2023