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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 Honourable Mr.JUSTICE S.SOUNTHAR
and

Members:

Mr.G.Dharmaraj(District Judge Rtd.,)
Mrs.S.Sridevi

C.M.A.No.4008 of 2019

(Appeal against the award made in M.C.O.P.No.74 of 2018, dated 27.03.2019 on the file of the Motor Accident Claims Tribunal / Additional District Judge, Hosur.)

The Branch Manager,
IFFCO TOKIO General Insurance Co. Ltd.,
GSN Arcade, beside Vemala Kalyana Mandapam,
Bye-pass Road, Hosur, Tamil Nadu -635 109,
Hosur.

C/o. The Branch Manager,
IFFCO TOKIO General Insurance Co. Ltd.,
No.128, IFFCO Bhavan, 4th Floor,
Habibullah Road, T.Nagar,
Chennai - 600 017.

... Appellant

Vs.

1. Murali
2. A.M.Shankar

.. Respondents

Though the matter is in the Additional list, at the request of both the parties this case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.S.Arunkumar, learned counsel appeared for the appellant and Mr.C.Prabakaran, learned counsel appeared for first respondent. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows.



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TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.12,45,273/-, with interest 7.5% at the rate of per annum from the date of the petition till the date of deposit of the award amount. Aggrieved by the said award, the appellant / Insurance Company has preferred the present appeal.

2. The Appellant and contesting respondents are appeared before this Lok Adalat and entered into a Compromise on following terms;

(i) The first respondent agreed to withdraw the claim petition in M.C.O.P.No.74 of 2018 on the file of Motor Accident Claims Tribunal / Additional District Judge, Hosur, Krishnagiri District.

(ii) In view of the same, the award passed in M.C.O.P.No.74 of 2018 dated 27.03.2019 is set aside.

(iii) The Insurance Company is permitted to withdraw the amount, if any deposited.

3. Accordingly, the Civil Miscellaneous Appeal is ordered on the above terms. Consequently, the connected MP, if any, is closed.



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Counsel for Appellant

1. Murali

Counsel for first Respondent

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



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S.SOUNTHAR, J.

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Copy to:

- 1.The Motor Accident Claims Tribunal / Additional District Judge, Hosur, Krishnagiri District.
- 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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11.03.2023