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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 10th day of June, 2023

NATIONAL LOK ADALAT

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

Presided over by

THE HON'BLE MR.JUSTICE P.B.BALAJI
and

Members

1. Mr.Cibi Vishnu,
Advocate
2. Mr.K.Balasubramanian District Judge (Retd.)

C.M.A.No.3354 of 2021

This Civil Miscellaneous Appeal is filed against the order made in M.C.O.P. No.1031 of 2019 dated 19.02.2020 on the file of the Motor Accident Claims Tribunal, Chief Judge, Court of Small Causes, Chennai.

- 1.M.Shanthi
 - 2.M.Arunachalam
 - 3.M.Sangeetha
 - 4.M.Marimuthu
 - 5.M.Chellamuthu (Minor)
 - 6.M.Rajeshwari (Minor)
- (Minor appellants 5 & 6
Rep.by first appellant Mother)

.. Appellants

Vs.

- 1.K.Meena
- 2.Cholamandalam MS General Insurance Co. Ltd
No.163, Thambu Chetty Street
Parry's Corner
Chennai

.. Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. Mr.K.Kumara Guru, the learned counsel for the appellants and Mr.M.B.Raghavan, the learned counsel for the 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

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The Tribunal has awarded a sum of Rs.9,96,000/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit with cost. Aggrieved by the award of the Tribunal, the appellants had preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed to enhance the award of the Tribunal to a sum of Rs.1,65,000/- **in full quit over and above** the award passed by the tribunal.

3. The 2nd respondent/Insurance Company is directed to deposit the entire amount arrived at today in full quit, over and above the award passed by the tribunal, less the amount already deposited, if any, within a period of four weeks, from the date of receipt of a copy of this order. On such deposit being made, the claimants / appellants 1 to 4 are permitted to withdraw their respective share of the award amount without insisting on a formal payment out petition. The share of the minor/appellants 5 and 6 are directed to be deposited in any one of the Nationalised Banks till they attain majority. The first appellant/mother of the minor appellants 5 and 6 is permitted to withdraw the accrued interest once in a period of three months for the welfare of the minors. Award is modified accordingly.

4. 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, as per the apportionment already made by the



Tribunal, after filing of appropriate payment out application(s). Consequently, the connected miscellaneous petition, if any, is closed.

5. This Civil Miscellaneous Appeal is disposed of accordingly.

1.M.Shanthi

2.M.Arunachalam

3.M.Sangeetha

4.M.Marimuthu

Counsel for the Appellants

Cholamandalam MS General Insurance Co. Ltd
No.163, Thambu Chetty Street
Parry's Corner
Chennai

Counsel for the Second Respondent

This Lok Adalat award is passed in terms of the above settlement.

The 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



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P.B.BALAJI, J.

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To

The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal, Chief Judge, Court of Small Causes, 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

dhk/kj

C.M.A.No.3354 of 2021

10.06.2023