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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.224 of 2022
and C.M.A.SR.No.84561 of 2022

(Appeal against the award made in M.C.O.P.No.2078 of 2017, dated 27.08.2021 on the file of the Motor Accident Claims Tribunal /II Additional District & Sessions Judge, Cuddalore)

C.M.A.No.224 of 2022:

1. S.Vijayalakshmi
2. S.Durai @ Durai

.. Appellants

Vs.

1.B.Rajesh

2.United India Insurance Company Ltd.,
Third Party Service Hub,
Plot 35, 36, 37, A.R.Plaza, 45 Feet Road,
Balaji Nagar Extention, Saram,
Puducherry-605 011.

3. T.Rathinavel

4. The Divisional Manager,
National Insurance Company Ltd.,
DO, 110 JN Street, Puducherry - 605 001

.. Respondents



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C.M.A.SR.No.84561 of 2022:

United India Insurance Co. Ltd,
Third Party Service Hub, Plot 35, 36, 37,
AR Plaxa, 45 Feet Road, Balaji Nagar Extn,
Saram, Puducherry.

..2nd respondent/Appellant

Vs

1. S.Vijayalakshmi
2. S.Durairaj @ Durai
3. B.Rajesh
4. T.Rathinavel

5.The Divisional Manager,
National Insurance Company Ltd,
DO.110, JN Street, Puducherry-605 001.

.. Respondents

These cases are taken up for settlement before the National Lok Adalat. Both the parties are present. Ms. Ramya V Rao, learned counsel appearing for the Claimants, Mrs.I.Malar learned counsel appearing for 2nd Respondent/ Insurance Company and M/s.R.Ravichandran, learned counsel appearing for the mediation and conciliation between both parties, they arrived at a compromise to settle the matters as follows.



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TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.12,47,000/-, 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 appellants/claimants have preferred the present appeal.

2. The Appellants and the second respondent/Insurance company are entered into a compromise on following terms;

(i) The appellants are agreed for a sum of Rs.2,50,000/- in full quit over and above what was ordered by the Tribunal.

(ii) The second respondent Insurance Company agreed to deposit the above said amount within a period of eight weeks from today failing which the said sum shall carry an interest of 7.5% per annum. The second respondent shall deposit the above said sum after deducting amount already deposited, if any.

(iii) On such deposit, the appellants are entitled to withdraw the entire amount by making formal application before the Tribunal.

3. Accordingly, the Tribunal is directed to transfer the amount through RTGS to the respondent on proper identification in accordance with the terms of the award. The Award is passed accordingly.

4. The Civil Miscellaneous Appeals are disposed of accordingly. Consequently, the connected MP, if any, is closed.



1. S.Vijayalakshmi
2. S.Durairaj @ Durai

Counsel for Appellant

United India Insurance Company Ltd.,
Third Party Service Hub,
Plot 35, 36, 37, A.R.Plaza, 45 Feet Road,
Balaji Nagar Extention, Saram,
Puducherry-605 011.

Counsel for 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



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S.SOUNTHAR, J.

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To: The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal /II Additional District & 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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11.03.2023