

**HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI**

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 9th September 2023

NATIONAL 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.K.Ramakrishnan, District Judge (retd)

Mr.K.V.Muthu Visakan, Advocate

C.M.A.No.28 of 2022

(Appeal against the judgment and decree passed on 13.09.2021 made in MCOP.No.2024 of 2019 on the file of the Motor Accidents Claims Tribunal/1st Additional District and Sessions Judge at Cuddalore.

1.K.Karthikeyan

2.Minor K.Ruthresh

3.Minor K.Dhanupraba

(Minor petitioner's rep by father, Guardian, NF K.Karthikeyan, 1st petitioner herein)

..Appellants

/versus/

1.K.T.Ramachandran

2.The Divisional Manager,

United India Insurance Co., Ltd.,

Do.13A, Nethaji Road, Cuddalore - 607 001.

.. Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mrs.Ramya V.Rao, learned counsel for appellants and Mr.R.Sankaranarayanan, learned counsel for the second respondent are present. After mutual discussion, negotiation, mediation and conciliation between both

<https://www.mhccourt.org/judges> 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.17,95,120/- with interest at the rate of 7.5% per annum as compensation to the appellants/claimants. Challenging the same, the appellants/claimants have preferred this appeal.

2. Not satisfied with the award of the Tribunal, the appellants/claimants have preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.7,00,000/- (Rupees Seven Lakhs only) over and above the Tribunal award along with 7.5% interest.

3. Mrs.Chandra Srinivasan, Regional Manager of the second respondent/insurance company submitted that the second respondent/insurance company has already deposited the tribunal award amount of Rs.17,95,120/- (Rupees Seventeen Lakhs Ninety Five Thousand One Hundred Twenty only).

4. The second respondent/insurance company is directed to deposit the balance amount of Rs.7,00,000/- (Rupees Seven Lakhs) over and above the Tribunal award, along with 7.5% interest, within a period of eight weeks from the date of receipt of a copy of this order. On such deposit of the aforesaid enhanced amount by the second respondent/insurance company, the appellants/claimants are permitted to withdraw the same, without filing any



formal petition. The Award is passed accordingly.

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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.

6. Insofar as the apportionment of the minors (appellants 2 & 3) are concerned, the Tribunal is directed to deposit the same in any one of the Nationalised banks till he/she attains majority. On such deposit, the guardian shall be at liberty to withdraw the accrued interest at the three months interval regularly.

1.K.Karthikeyan
2.Minor K.Ruthresh
3.Minor K.Dhanupraba

Counsel for the Appellants

1.K.T.Ramachandran
2.The Divisional Manager,
United India Insurance Co., Ltd.,
Do.13A, Nethaji Road,
Cuddalore - 607 001.

Counsel for the second 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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J.SATHYA NARAYANA PRASAD, J.

vm/dpq

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, Motor Accidents Claims Tribunal/1st Additional District and Sessions Judge at 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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Dated :09.09.2023