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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 12th day of August, 2023

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE S.SOUNTHAR

and

Members

Mr.N.Balasubramanian, District Judge (Retd)

Mr.P.G.Perumal Pandian

C.M.A.No.2321 of 2022

(Appeal against the award made in MCOP No.943 of 2018 dated 04.10.2021 on the file of the Motor Vehicles Accident Claims Tribunal, Special District Judge, Salem)

1.P.Murugesan

2.Kala

... Appellants

Vs.

1.G.Karuppaiah

2.N.Ravi

3.National Insurance Company Ltd.,

Branch Office at S.R.Complex,

Rajamani Thottam,

Bhavani Main Road,

Sankari Taluk, Salem District.

.. Respondents

This case is not listed today. At request the parties taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.S.Sivakumar, learned counsel for the appellants and Ms.N.B.Sureka, 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

The Tribunal has awarded a compensation of Rs.17,93,000/- [Rupees Seventeen Lakhs and Ninety Three Thousand only) along with interest at 7.5% per annum from the date of petition till the date of realisation.

2. Both the appellants/claimants and the third respondent/Insurance Company are entered into compromise on the following terms :

(i) The appellants/claimants are agreed to settle for a sum of Rs.2,15,000/- (Rupees Two Lakhs and Fifteen Thousand only) over and above what is awarded by the Tribunal. The above said enhanced amount shall carry interest at the rate of 7.5 % to the date of claim petition till the date of deposit.

(ii) It is informed by the learned counsel for the third respondent/Insurance Company that the Insurance Company had already deposited the award amount together with interest at the rate of 7.5%. The enhanced amount together with interest shall be deposited by the Insurance Company within a period of six weeks from the date of receipt of a copy of this order.

(iii) On such deposit, the appellants/claimants are permitted to withdraw the entire amount deposited by the third respondent/Insurance Company without filing any formal petition.

3.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.



1.P.Murugesan

2.Kala

Counsel for Appellants

1.G.Karuppaiah

2.N.Ravi

3.National Insurance Company Ltd.,
Branch Office at S.R.Complex,
Rajamani Thottam,
Bhavani Main Road,
Sankari Taluk, Salem District.

Counsel for the 3rd 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 District Judge, Salem.
- 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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S.SOUNTHAR, J.,

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12.08.2023