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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.3655 of 2021

(Appeal against the award made in MCOP No.9 of 2016 of dated 31.03.2021 on the file of the Motor Vehicles Accident Claims Tribunal, IV Additional District and Sessions Judge, Bhavani.)

R.Nandhakumar

... Appellant

Vs.

1.R.Maheshkumar

(Notice R1 may be dispensed with for the time being and separate petition filed for the same)

2. National Insurance Company Limited

Rep.by its Manager

78, Thiruvankatasamy Chetty St.,

Erode – 638 001.

.. 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.C.Kulanthaivel, learned counsel for the appellant 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.2,27,180/- [Rupees two lakhs twenty seven thousand one hundred and eighty only) along with interest at 7.5% per annum from the date of petition till the date of realisation.

2. Both the appellant/claimant and the second respondent/Insurance Company entered into compromise on the following terms :

(i) The appellant/claimant is agreed to settle for enhanced amount of Rs.1,10,000/- (Rupees one lakh and ten thousand only) together with interest at the rate of 7.5 % from the date of claim petition till the date of deposit.

(ii) It is informed by the learned counsel for the second respondent/Insurance Company that the Insurance Company had already deposited the entire award amount together with interest. 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 appellant/claimant is permitted to withdraw the entire amount deposited by the second 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.

R.Nandhakumar

Counsel for Appellant

The Manager
National Insurance Company Limited



78, Thiruvankatasamy Chetty St.,
Erode – 638 001.

Counsel for the 2nd Respondent

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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, IV Additional District and Sessions Judge, Bhavani.
- 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