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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.3675 of 2021

(Appeal against the award made in M.C.O.P.No.2197 of 2017, dated 30.09.2021 on the file of the Motor Accident Claims Tribunal / 1st Addl. Sub Judge (FAC), Cuddalore).

1.R.S.Arivalagan S/o.Shanmugam
2.A. Jayalakshmi W/o. R.S.Arivalagan ..Appellants

Vs.

1.P.Bakkiyaraj
S/o.Pakkiri
2.The Divisional Manager,
United India Insurance Co.Ltd.,
Third Party Service Hub, Plot No.35,36,37,
A.R.Plaza, 45 feet Road,
Balaji Nagar Extension, Saram, Puducherry. .. Respondent

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. M/s.Ramya V.Rao, learned counsel appearing for the Appellants, Ms. Mr.M.B. Gopalan Associates, learned counsel appearing for 2nd Respondent/Insurance Company. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matters as follows.

**TERMS OF SETTLEMENT**

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The Tribunal has awarded a sum of Rs.13,80,472/-, 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 have preferred the present appeal.

2.The appellants/claimants and the 2nd respondent/Insurance Company have entered into a compromise on the following terms:-

(i)the appellants in C.M.A.No.3675 of 2021 have agreed to settle for a sum of Rs.19,60,000/- in full quit on their claim against the 2nd respondent/Insurance Company.

(ii) The 2nd respondent/Insurance Company is also agreed to deposit the above said sum within a period of 8 weeks from today failing which the above said amount shall carry an interest of 7.5% per annum. The 2nd respondent/Insurance Company shall deposit the above said sum after deducting amount already deposited, if any.

(iii) On such deposit, the appellants are directed to withdraw the above said compensation amount in equal proportion by making formal application.

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



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

1.R.S.Arivalagan S/o.Shanmugam

2.A. Jayalakshmi W/o. R.S.Arivalagan

Counsel for Appellant

1.P.Bakkiyaraj

2.The Divisional Manager,
United India Insurance Co.Ltd.,
Balaji Nagar Extension, Saram, Puducherry.

Counsel for Respondents

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 / 1st Addl. Sub Judge (FAC), 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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C.M.A.3675 of 2021

11.03.2023