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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday the 09th day of September 2023
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

THE HONOURABLE Mr.JUSTICE **MOHAMMED SHAFFIQ**
and

Members:

1. Mr.R.RAVINDRA BOSE, District Judge (Retd.,)
2. Mr.SAI SRUJAN TAYI, Advocate

C.M.A.No.148 of 2022

Appeal filed under Section 173 of Motor Vehicles Act, 1988 to enhance the compensation in M.C.O.P.No.2137 of 2016 dated 13.09.2021 on the file of the Motor Accidents Claims Tribunal / 0Special Sub Court-II, Small Causes Court, Chennai.

V.Murthy

... Appellant

Vs.

1. M.Senthil Kumar

2. The New India Assurance Co. Limited,
No.45, 2nd Line Beach, Moore Street,
Chennai – 600 001.

... Respondents

With the consent of both the parties, this case is taken up for settlement before this Lok Adalat. Both the parties are present. M/s.Ramya V.Rao, learned counsel for appellant and Mrs.R.Sree Vidya, 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**

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This Civil Miscellaneous Appeal has been filed to set aside the order in M.C.O.P.No.2137 of 2016 dated 13.09.2021 on the file of the Motor Accident Claims Tribunal / Special Sub Court-II, Small Causes Court, Chennai.

2. The Tribunal has awarded a sum of Rs.2,37,400/- with interest at the rate of 7.5% per annum from the date of petition till the date of realization. Aggrieved by the said award, the appellant has preferred the present appeal.

3. After due deliberation and consultation, both parties have agreed for enhancement of the award amount by a sum of Rs.1,00,000/- (Rupees One Lakh only) as Full Quit over and above the amount already awarded by the Tribunal as compensation.

4. The second respondent / New India Assurance Company is directed to deposit the enhanced amount of Rs.1,00,000/- (Rupees One Lakh only) in addition to the amount awarded by the Tribunal, if not already deposited, within a period of eight weeks from the date of receipt of a copy of this order. On such deposit, the appellant / claimant is permitted to withdraw the said amount, without filing any formal petition.



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5. The Tribunal is directed to transfer the amount in favour of the claimant through RTGS/NEFT, 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.

V.Murthy

Counsel for Appellant

The New India Assurance Co. Limited,
No.45, 2nd Line Beach, Moore Street,
Chennai – 600 001.

Counsel for 2nd 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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MOHAMMED SHAFFIQ, J.

vji

To: The parties / Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal / Special Sub Court-II, Small Causes Court, Chennai.
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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09.09.2023