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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 February 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.RAVINDRABOSE
- 2.Mr.C.SAMIVEL

C.M.A.No.29 of 2020

(Civil Miscellaneous Appeal is filed to scale down the Judgment and Decree that has been passed in this matter by the Motor Accident Claims Tribunal (II Judge, Small Causes Court) at Chennai in MCOP.No.3977 of 2013 dated 29.11.2018.

The National Insurance Company Limited,
No.35 North Usman Road,
T.Nagar, Chennai – 600 017 &
Third Party Office,
No.751 Anna Salai,
Chennai-600 002.

... Appellant

Vs.

1. L.S.Srinivasan
Rep. by his Wife Nalini
2. A.Mansoor Ali

.. Respondents

With the consent of both the parties, this case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.R.Ravichandran, learned counsel for appellant and Mr.K.Varadhakamaraj, learned counsel for the first 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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The Tribunal has awarded a sum of Rs.1,24,18,400/- 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.

2. Out of the award amount by the Tribunal, the appellant has deposited 50% of the award amount with proportionate interest as directed by this Court while granting stay and withdrawn by the first respondent/claimant. For remaining 50% of the award, after due deliberation and consultation, both the parties have agreed to settle on payment of a sum of Rs.70,00,000/- (Rupees Seventy Lakhs only) in full quit of the claim as compensation, after deducting the amount already deposited.

3. The appellant /Insurance Company is directed to deposit the above said accepted award amount of Rs.70,00,000/- (Rupees Seventy Lakhs only), after deducting the amount already deposited if any, within a period of eight(8) weeks from the date of receipt of a copy of this award.

4. On such deposit, the claimant/first respondent (Nalini, wife of the first respondent L.S.Srinivasan), who is the representative of the claimant is permitted to withdraw the modified amount without filing any formal petition. Award is passed accordingly.

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.



6. The Civil Miscellaneous Appeal is disposed of accordingly.

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The National Insurance Company Limited,
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T.Nagar, Chennai – 600 017 &
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No.751 Anna Salai,
Chennai-600 002.

Counsel for Appellant

1. L.S.Srinivasan
Rep. by his Wife Nalini

2. A.Mansoor Ali

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

To: The parties/Advocate concerned

Copy to:

- 1.Motor Accidents Claim Tribunal/II Judge, 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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MOHAMMED SHAFFIQ., J

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11.02.2023