



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services
Committee

Saturday, the 11th February 2023

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE P.B.BALAJI

and

Members: Mr.G.Dharmaraj, District Judge (Retd.),

Mr.M.Muthusamy, Senior Advocate

C.M.A.NO.2199 of 2017

(Appeal against the judgment and decree passed on 30.06.2009 made in M.C.O.P.No.303 of 2005 on the file of Motor Accident Claims Tribunal, Chief Judicial Magistrate, Erode.

K.Arunachalam

.. Appellant

/versus/

1. Mahesh

2. A.John Peter

3. National Insurance Company Limited.,

Branch Office, 33, Prominent Road Branch No.1,

Trich - 1.

..Respondents

(R1 exparte before the Tribunal)

This case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.Mahavishnu for M/s.N.Manokaran, learned counsel for the Appellant and Mrs.N.B.Surekha, learned counsel for the third 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.15,000/-, with interest at 7.5% per annum, from the date of petition, till the date of deposit.

Aggrieved by the award of the Tribunal, the appellant / claimant had preferred the present appeal.

2. The second respondent in the above appeal remained exparte in the original proceedings and he has not chosen to appear before this Court also. However, considering the fact that he is only the driver of the vehicle, his presence is not necessary for allowing the claimant and the insurance company to settle the matter between themselves.

3. After due deliberation and consultation, both the parties have agreed to enhance the award of the Tribunal by a sum of Rs.20,000/- (Rupees Twenty Thousand Only) in full quit, over and above the compensation already awarded.

4. The third respondent / Insurance Company is directed to deposit the said sum of Rs.20,000/- in full quit, within a period of four weeks from



the date of receipt of a copy of this order, to the credit of M.C.O.P.No.303 of 2005 on the file of Motor Accident Claims Tribunal, Chief Judicial Magistrate, Erode. On such deposit being made, the appellant / claimant is permitted to withdraw the amount on filing proper applications.

5. The Tribunal is directed to transfer the above said award amount to the Bank account of the appellant / claimant by way of NEFT / RTGS, 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.

No costs.

K.Arunachalam

Counsel for the Appellant

National Insurance Company Limited.,
Branch Office, 33, Prominent Road Branch No.1,
Trich - 1.

Counsel for the Third respondent



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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 Accident Claims Tribunal, Chief Judicial Magistrate, Erode.
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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P.B.BALAJI,J.

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