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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.1152 of 2020

(Appeal against the award made in M.C.O.P.No.4000 of 2016, dated 04.12.2018 on the file of the Motor Accident Claims Tribunal / Special Sub Judge, Cuddalore).

United India Insurance Co.Ltd,
Third Party Service Hub,
Plot No.35,36,37, AR Plaza,
45 Feet Road, Balaji Nagar Extn,
Saram, Puducherry-605 011.

..Appellant

Vs.

1.A.Ramalingam (died)
2.A.Venkatesan
3.J.Sangeetha
4.P.Sumathi
5.R.Sasikala
6.Sivashankar Projects P Ltd.
SF, 87/2A P and C Garden,
Nolambur, Mugappair West,
Maduravoyal, Chennai.

.. Respondents



This case is taken up for settlement before the National Lok Adalat. Both the parties are present. M/s.D.Bhaskaran, learned counsel appearing for the Appellant/Insurance Company, M/s. Ramya V Rao, learned counsel appearing for Respondents 1 to 5. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matters as follows.

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.6,87,760/-, 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 appellant/Insurance Company has preferred the present appeal.

2.The learned counsel for the respondents 1 to 5 have filed a memo stating that 1st respondent died on 15.10.2021. The death of the 1st respondent is recorded.

3.The appellant/Insurance Company and the respondents 2 to 5/claimants have entered into a compromise on the following terms:-

(i)the respondents 2 to 5 in C.M.A.No.1152 of 2020 have agreed to settle for a sum of Rs.6,50,000/- with interest and cost as awarded by the Tribunal.

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



(iii) On such deposit, the respondents 2 to 5 are entitled to withdraw their share in the compensation as per the apportionment of the Tribunal.

(iv) it is made clear that the legal representatives of the deceased 1st respondent if any is entitled to withdraw their share of the deceased 1st respondent by making appropriate application before the Tribunal.

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

United India Insurance Co.Ltd,
Third Party Service Hub,
Plot No.35,36,37, AR Plaza,
45 Feet Road, Balaji Nagar Extn,
Saram, Puducherry-605 011.

Counsel for Appellant

1.A.Ramalingam (died)

2.A.Venkatesan

3.J.Sangeetha

4.P.Sumathi

5.R.Sasikala

Counsel for Respondents



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S.SOUNTHAR, J.

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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.The Motor Accident Claims Tribunal / Special Sub Judge, 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.1152 of 2020

11.03.2023