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

The Hon'ble Mr.JUSTICE J.SATHYA NARAYANA PRASAD
and

Members

Mr.K.V.Muthu Visakan

Mr.K.Rama Krishnan, District Judge (Retired)

C.M.A.No.44 of 2020

(Appeal against the judgment and decree passed on 01.07.2017 made in M.C.O.P.No.35 of 2016 on the file of the Motor Accidents Claims Tribunal, II Additional District Judge, Poonamallee, Tiruvallur District.

1.Maragadham

2.Sathya

.. Appellants

/versus/

1.P.Mugunthan

2.ICICI Lombard General Insurance Company limited,
Building No.142, I floor, E.C.R.Main Road,
Near Latha Steel House, Kottupalayam,
Puducherry.

.. Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.M.Sivakumar, learned counsel for appellants and M/s.R.Sreevidhya, learned counsel for the second respondent is 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.4,45,160/- with interest at the rate of 7.5% per annum as compensation to the petitioners/claimants. Challenging the same, the appellants/claimants have preferred this appeal.

2. Not satisfied with the award of the Tribunal, the appellants/claimants have preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.3,50,000/- (Rupees Three Lakhs and Fifty Thousand Only) in full quit (inclusive of interest) over and above the Tribunal award.

3. The second respondent/Insurance Company is directed to deposit the enhanced amount of Rs.3,50,000/- (Rupees Three Lakhs and Fifty Thousand only) in full quit (inclusive of interest), within a period of eight weeks from the date of receipt of a copy of this order. On such deposit of the aforesaid enhanced amount by the second respondent/Insurance Company, the appellants/claimants are permitted to withdraw the same and share the above amount equally, without filing any formal petition. The Award is passed accordingly.

4. 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. The Civil Miscellaneous Appeal is disposed of accordingly. The connected miscellaneous petition is closed, if any.

1.Maragadham

2.Sathya

Counsel for the Appellants

ICICI Lombard General
Insurance Company limited,
Building No.142, I floor,
E.C.R.Main Road,
Near Latha Steel House,
Kottupalayam,
Puducherry.

Counsel for the Second 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



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J.SATHYA NARAYANA PRASAD, J.

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To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, II Additional District Judge, Poonamallee, Tiruvallur District.
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

C.M.A..No.44 of 2020

Dated :09.09.2023