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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. 4123 of 2019

(Civil Miscellaneous Appeal is filed to allow the Civil Miscellaneous Appeal and enhance the award in judgment and decree dated 24.07.2019 made in M.C.O.P. No. 201 of 2014 on the file of the Motor Accident Claims Tribunal, III Additional District Court, Poonamallee, Tiruvallur District.

S.Rajesh

... Appellant

Vs.

1. M.Kanthan
2. The National Insurance Company Limited
Motor Third Party Cell
No.751, Anna Salai
Chennai – 600 002.

.. 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. C.Prabakaran, learned counsel for appellant and Mr. S.Vadivel, 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

The Tribunal has awarded a sum of Rs.5,63,519/- 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. After due deliberation and consultation, both the parties agreed that the **second** respondent/Insurance Company had already deposited the amount, as awarded by the Tribunal and the same has already been withdrawn by the appellant/claimant. Now the **second** respondent/Insurance Company has agreed to pay a sum of Rs.11,50,000/- over and above the Tribunal's award amount. However, the Insurance Company has agreed to pay the said sum of Rs.11,50,000/- as full quit. The Insurance Company is directed to deposit the said amount of Rs.11,50,000/- within a period of eight weeks from the date of receipt of a copy of this order. On such deposit, the claimant is permitted to withdraw the said amount of Rs.11,50,000 without filing any formal petition.

3. The Tribunal is directed to issue the cheque to the party 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.

S.Rajesh

Counsel for Appellant



The National Insurance Company Limited
Motor Third Party Cell
No.751, Anna Salai
Chennai – 600 002.

Counsel for 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

Member

Member

To: The parties/Advocate concerned

Copy to:

- 1.Motor Accident Claims Tribunal,
III Additional District Court, 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

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MOHAMMED SHAFFIQ., J

at/Maya

C.M.A. No. 4123 of 2019

11.02.2023