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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 09th day of December 2023

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mrs.JUSTICE K.GOVINDARAJAN THILAKAVADI

and

Members

Mr.N.Balasubramanian

District Judge (Retd.)

Mr.R.Ganesan

Advocate

C.M.A.No.2708 of 2023

(Appeal against the judgment and decree passed on 17.07.2023 made in M.C.O.P.No.21 of 2021 on the file of the Motor Accident claims Tribunal(Speical District Court) Villupuram.

1.A.Kavitha

2.Minor A.Sumantha

3.Minor A.Sumanraj

(2 & 3 minor petitioners are represented

by Guardian NF,mother A.Kavitha the 1st petitioner hererin)

4.J.Leelavathy

.. Appellants

Vs.

1.M.Subbu

2.The Chief Manager

Future Generali India Insurance Company Limited,

9th Floor, VBC Solitaire,

47 and 49 Bazullah Road,

T.Nagar, Chennai-600 017

.. Respondents



the parties are present. The learned counsel for the appellants M/s. Ramya V.Rao and the learned counsel for the 2nd respondent, Mr.E.Rajadurai for Mr.M.B.Raghavan 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

Both the parties and their respective counsel are present.

2. The Tribunal has awarded a sum of Rs.41,43,750/-(Rupees Forty One Lakhs Forty Three Thousand and Seven Hundred and fifty only) with interest at 7.5% p.a. from the date of petition till the date of deposit as compensation.

3. Not satisfied with the award amount, the appellants/claimants have preferred the present appeal. After due deliberations, both parties have agreed to settle the award amount at Rs.49,00,000/-(Rupees Forty Nine Lakhs only) in full quit.

4. The 2nd respondent/Insurance Company is directed to deposit the said sum of Rs.49,00,000/-(Rupees Forty Nine Lakhs only), within a period of four weeks from the date of receipt of a copy of this order. The claimants/appellants 1 & 4 are permitted to withdraw their respective shares as apportioned by the Tribunal. The share of the minor appellants 2 & 3/claimants shall be deposited in any one of the Nationalised Bank till they attain majority in re-investment scheme. The award of the Tribunal is ordered accordingly.



5. The Tribunal is directed to issue the award amount through NEFT/RTGS to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

6. The appeal is ordered accordingly.

1. A. Kavitha

2. Minor A. Sumantha

3. Minor A. Sumanraj

4. J. Leelavathy

Counsel for the appellants

1. M. Subbu

2. The Chief Manager

Future Generali India Insurance Company Limited,
9th Floor, VBC Solitaire,
47 and 49 Bazullah Road,
T. Nagar, Chennai-600 017

Counsel for the 2nd respondent

This National Lok Adalat award is passed in terms of the above settlement.



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The Court fee paid shall be refunded to the parties in the manner provided under 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.

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Judge

Member

Member

To
The parties/Advocate concerned

Copy to:

- 1.The Motor Accident claims Tribunal(Speical District Court) Villupuram.
- 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.



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K.GOVINDARAJAN THILAKAVADI, J.

vsn

C.M.A.No.2708 of 2023

09.12.2023