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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 11th day of February 2023

NATIONAL LOK ADALAT

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by
The Hon'ble Mrs.JUSTICE T.V.THAMILSELVI
and

Members

1. Mr. P.Rosiah, District Judge (Retd)
2. Mrs.A.Veeramarthini

C.M.A.No.811 of 2020

New India Assurance Co.Ltd.,
No.45, Moore Street, 5th Floor
T.P.Cell, Chennai-1.

... Appellant

Vs

1. G.Saraswathy
2. S.Bhuvaneswari
3. S.Jahnavi(minor)
4. S.Prathiba (minor)
5. V.Kannan

(respondents 3 and 4 represented by
their mother/guardian S.Bhuvaneswari
(5th respondent remained exparte before the tribunal)

... Respondents

This Civil Miscellaneous Appeal has been filed against the Award in
M.C.O.P. No.166 of 2014 dated 23.07.2019 on the file of the Motor Accidents
Claims Tribunal/ II Court of Small Causes, Chennai.

This case came up for settlement before the Lok Adalat. Both the parties
are present. Mr.J.Chandran,learned counsel for the Appellant, Mr.B.Nandha
Kumar, learned Advocate for the Respondents are present. After mutual
discussion, negotiation, mediation and conciliation between both parties, they

**TERMS OF SETTLEMENT**

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The Tribunal has awarded a sum of Rs.41,20,000/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit. Aggrieved by the award of the Tribunal, the appellant /Insurance Company had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to settle the case for a sum of Rs.40,00,000/- (Rupees Forty lakhs only) with 7.5% interest up to 13.10.2022.

3. The appellant/Insurance company shall deposit the modified award amount of Rs.40,00,000/- (Rupees Forty lakhs only) with 7.5% interest up to 13.10.2022, less the amount already deposited, if any, within a period of eight weeks from the date of receipt of a copy of this order.

4. On such deposit being made, the first respondent is entitled to withdraw a sum of Rs.4,00,000/-, the second respondent is entitled to withdraw a sum of Rs.20,00,000/-. The shares of the minor third and fourth respondents are entitled for a sum of Rs.8,00,000/- each are invested in anyone of the Nationalised bank in reinvestment scheme, till they attain majority and the accrued interest shall be credited into the account of the guardian / 2nd respondent, who is the mother of the minor 3rd and 4th respondents before the Tribunal without filing any formal petition. The Award is passed accordingly.



5. 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.

6. This Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition if any, is closed.

New India Assurance Co.Ltd.,
No.45, Moore Street, 5th Floor
T.P.Cell, Chennai-1.

Counsel for the Appellant

1. G.Saraswathy

2. S.Bhuvaneswari

3. S.Jahnavi(minor)

4. S.Prathiba (minor)
(Respondents 3 and 4 represented by
their mother/guardian S.Bhuvaneswari)

Counsel for the Respondents

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 2 r/w 25 of LSA Act 1987 as amended in 1994.

Judge

Member

Member



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T.V.THAMILSELVI.,J

VV

To:The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal/ II Court of Small Causes, Chennai
- 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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11.02.2023