



WEB COPY

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday the 09th day of December 2023

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Honourable Mr.JUSTICE **C.KUMARAPPAN**
and

Members:

1.Mr.K.Ramakrishnan, District Judge (Retd.)

2.Mr.K.Ethirajalu, Advocate

C.M.A.Nos.110 & 1358 of 2020

Civil Miscellaneous Appeals are filed against the award made in M.C.O.P.No.2856 of 2016 dated 27.02.2019 on the file of the Motor Accident Claims Tribunal/Principal Special Judge, Special Court under EC & NDPS Act, Chennai.

M.Mayakrishnan (died)

1.Amirtham

2.Arul Selvi

3.Ganesan

... Appellant in CMA.No.110 of 2020/
Respondent in CMA.No.1358 of 2020

*(Appellants 1 to 3 are impleaded as per the order
of this court dated 09.12.2023)*

Vs.

The Managing Director
Metropolitan Transport Corporation Ltd.,
Pallavan House, Anna Salai
Chennai 600 002

... Appellant in CMA.No.1358 of 2020/
Respondent in CMA.No.110 of 2020



WEB COPY

With the consent of both the parties, this case is taken up for settlement before this Lok Adalat. Both the parties are present Mr.M.Pachaiyappan, learned counsel for the Appellant in CMA.No.110 of 2020 and Respondent in CMA.No.1358 of 2020 and Dr.S.S.Swaminathan, learned counsel for the Appellant in CMA.No.1358 of 2020/Respondent in CMA.No.110 of 2020 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.10,97,000/- with interest at the rate of 7.5% per annum. Aggrieved by the said award, the parties have preferred the present appeals.

2.When the matter is taken up for hearing, learned counsel for the Appellant/claimant in CMA.No.110 of 2020 represented that M.Mayakrishnan died on 31.07.2020 and he presented a Petition for impleading his legal representatives, who are the proposed Appellants/claimants viz., 1.Amirtham, 2.Arul Selvi and 3.Ganesan, alongwith condone delay and setaside the abatement Petitions. The Transport Corporation has no objection for the same. Hence all the Petitions, with regard to the same are ordered as prayed for. Registry is directed to carry out necessary amendment in the cause title.

3.After due deliberation and consultation, both the parties mutually agreed to settle the matter for the compensation of Rs.14,00,000/- (Rupees fourteen lakh only) as full quit. Therefore, the Transport Corporation is directed to deposit the said compensation amount of Rs.14,00,000/- within a period of twelve (12) weeks from the date of receipt of a copy of this order, less the amount already deposited, if any, failing which, the award amount will carry interest at the rate of 7.5% per annum. On such deposit, the newly impleaded Appellants/claimants are permitted to withdraw their share as



follows, without filing any formal petition:

- 1.Amirtham - Rs.10,00,000/-
- 2.Arul Selvi -Rs.2,00,000/-
- 3.Ganesan -Rs.2,00,000/-

4.The award amount shall be transferred to the Bank account of the respective claimants by way of NEFT / RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

5. The Civil Miscellaneous Appeals are disposed of accordingly.

1.Amirtham

2.Arul Selvi

3.Ganesan

Counsel for claimants

The Managing Director
Metropolitan Transport Corporation Ltd.,
Pallavan House, Anna Salai
Chennai 600 002

Counsel for 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 21 r/w 25 of LSA Act 1987 as amended in 1994.

Judge

Member

Member



C.KUMARAPPAN, J.

WEB COPY

at/sai

To: The parties/Advocate concerned

Copy to:

- 1.Motor Accidents Claim Tribunal/Principal Special Judge, Special Court under EC & NDPS Act, 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

C.M.A.Nos.110 & 1358 of 2020

09.12.2023