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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 10th day of June, 2023

NATIONAL LOK ADALAT

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

Presided over by

THE HON'BLE MR.JUSTICE P.B.BALAJI
and

Members

1. Mr. Cibi Vishnu, Advocate
2. Mr. K.Balasubramaniyan, District Judge (Retd.)

C.M.A.No.175 of 2023

This Civil Miscellaneous Appeal is filed against the order made in M.C.O.P. No.368 of 2012 dated 09.04.2014 on the file of the Motor Accident Claims Tribunal, Sub Court, Mannarkudi.

- 1.Sundaram
- 2.Amutha

... Appellants

/versus/

- 1.Amirthalingam
- 2.The General Manager,
Reliance General Insurance Co. Ltd.,
No.8, Sri Nadayan Tower,
Tanjavur.
(R1 and R2 are set exparte before the lower Court)

... Respondents

Both the parties are present. Ms.A.Salomi, learned counsel for appellants and Mr.Suresh Srinivasan, the 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:



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TERMS OF SETTLEMENT

The above Civil Miscellaneous Appeal is filed, challenging the award passed in M.C.O.P. No.368 of 2012 by the Motor Accident Claims Tribunal, Sub Court, Mannarkudi.

2. The Tribunal has awarded a sum of Rs.3,36,000/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit with cost. Aggrieved by the award of the Tribunal, the appellants had preferred the present appeal.

3. Learned counsel appearing for the second respondent / Insurance Company submitted that they have already deposited the entire award amount along with interest before the Tribunal.

3. When the case is pending, there was a negotiation between the parties as well as the counsel on record, resulting finalization of the quantum at Rs.7,75,000/-(Rupees Seven Lakhs Seventy Five Thousand only) over and above. The parties in person and the counsel on record and the Insurance Company are agreed for the compromise.

4. The second respondent / Insurance Company shall deposit the amount awarded by this Court within a period of six weeks from the date of receipt of a copy of this order. On such deposit being made, the claimants/ appellants are permitted to withdraw their respective share of the amount as per the apportionment made by the tribunal, including the amount already deposited, by filing appropriate payment out application(s). Award is modified 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, after filing appropriate application(s). Consequently, the connected miscellaneous petition, if any, is closed.

6. This Civil Miscellaneous Appeal is disposed of accordingly.

1.Sundaram
2.Amutha

Counsel for the appellants

The General Manager,
Reliance General Insurance Co. Ltd.,
No.8, Sri Nadayan Tower,
Tanjavur.

Counsel for the 2nd respondent

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

The 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.



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P.B.BALAJI, J.

Anu

Judge

Member

Member

-

To

The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal, Sub Court, Mannarkudi.
- 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.175 of 2023

10.06.2023