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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. 4495 of 2019

(Civil Miscellaneous Appeal is filed to allow this Appeal and to set aside the judgment and decree dated 07.12.2013 passed in M.C.O.P. No. 4666 of 2011 on the file of the Learned Motor Accident Claims Tribunal cum II Judge, Small Causes Court, Chennai.

1. K.Kuppammal(died)
2. Manjula
3. Maheswari
4. Ammu
5. Sangeetha

... Appellants

Vs.

1. S.Sathiyamoorthy
2. National Insurance Company Limited
No.66, Greams Road,
Chennai.

.. 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. Amar D.Pandiya, learned counsel for appellants and Mr. J.Chandran, 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.5,90,000/- 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respondent/Insurance Company had already deposited the amount, as awarded by the Tribunal and the same has already been withdrawn by the appellant/claimant.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.3,50,000/- over and above the Tribunal's award amount. However, the Insurance Company has agreed to pay the said sum of Rs.3,50,000/- as full quit. The Insurance Company is directed to deposit the said amount of Rs.3,50,000/- 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.3,50,000 without filing any formal petition.

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3. The first appellant has passed away, pending appeal. Therefore, the amount of Rs.3,50,000/- shall be divided equally among other appellants, viz., appellants 2 to 5 as full quit of the claim over and above the amount awarded.

4. 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.

1. K.Kuppammal(died)

2. Manjula

3. Maheswari

4. Ammu

5. Sangeetha

Counsel for Appellants

Vs.

National Insurance Company Limited
No.66, Greams Road,
Chennai.

.. Respondents

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



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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 cum II Judge, Small Causes Court, 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

at /Maya



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MOHAMMED SHAFFIQ., J

at/Maya

C.M.A. No. 4495 of 2019

11.02.2023