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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. Ms.A.Veeramarthini, Member

C.M.A.No.2525 of 2018

This Civil Miscellaneous Appeal has been filed against the Award in M.C.O.P. No.954 of 2012 dated 16.07.2018 on the file of the Motor Accidents Claims Tribunal/III Judge, Small Causes Court at Chennai.

V.Kannayiram

.. Appellant

Vs.

1.S.Kanitha
2.The New India Assurance Company Limited,
No.45, 2nd Line Beach,
Moore Street, Chennai - 600 001
(1st Respondent remained ex-parte
before the Tribunal)

.. Respondent

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.Ramya V.Rao, learned counsel for the Appellant, and M/s.C.Sangamithirai, learned Advocate 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**

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The Tribunal has awarded a sum of Rs.1,12,100/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit with cost.

2. Not satisfied with the award of the Tribunal, the claimant / appellant has preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.1,25,000/- (Rupees One Lakh Twenty Five Thousand only) without interest of over and above the award amount passed by the Tribunal as enhanced compensation.

3. The second respondent / Insurance Company is directed to deposit the enhanced award amount of Rs.1,25,000/- without interest within a period of eight weeks from the date of receipt of a copy of this order, after deducting the amount already deposited, if any.

4. On such deposit being made, the appellant is permitted to withdraw his entire award amount without filing any formal petition before the Tribunal. 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. The Civil Miscellaneous Appeal is disposed of accordingly.

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V.Kannayiram

Counsel for the Appellant

The New India Assurance Company Limited,
No.45, 2nd Line Beach,
Moore Street, Chennai - 600 001

Counsel for the Respondent

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

To: The parties/Advocate concerned

T.V.THAMILSELVI, J.



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Copy to:

1. The Motor Accidents Claims Tribunal,
III 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

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11.02.2023