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HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI

Madurai Bench of Madras High Court, Madurai - 625023

Saturday the 13th day of May 2023

NATIONAL LOK ADALAT AWARD

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

Presided Over by

The Honourable Mrs Justice S.ANANTHI (Retd.)

and

Members

Mr.A.Subramanian, District Judge(Retired),

Mr.S.Suresh Kumar Isaac Paul, Advocate

CMA(MD) No.721 of 2013

(Appeal against the judgment and decree passed on 03/10/2011 in MCOP.120/2010 on the file of the
ADDITIONAL DISTRICT AND SESSIONS JUDGE FAST TRACK COURT I, MADURAI)

- 1.M. SUBBUTHAI (died)
W/O. LATE G.MALLAIYAN
- 2.M.GANESAN
- 3.M.CHINNAIYAN
- 4.M.ALAGAR

ALL ARE RESIDING AT 23, MULLAIKARAI, CORPORATION COLONY,
KEERATHURAI, MADURAI.

(THE FIRST APPELLANT REPORTED DEAD AND THE APPELLANTS 2 TO 4
ARE LEGAL HEIRS OF THE DECEASED FIRST APPELLANT VIDE ORDER OF
THIS COURT DATED 13.05.2023)

...Appellant/s

Versus

SUNDARAPANDIAN
S/O. S.M.SOMASUNDARAM, NO. 14/8A, PANKAJAM COLONY, 2ND STREET,
MADURAI - 625 001.

M/S. ICICI LOMBARD GENERAL
INSURANCE COMPANY LIMITED, REP BY ITS DIVISIONAL MANAGER,
DIVISIONAL OFFICE, GNANAOLIVUPURAM, ARAPPALAYAM, CROSS ROAD,



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MADURAI.

...Respondent/s

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant/s Mr.A.Theethar and the counsel for the second respondent Mr.P.Pethu Rajesh is present. There is no representation for the first respondent. After mutual discussion, negotiation, mediation and conciliation between both parties and with the assistance of the Bench, both sides consented for settlement.

AWARD

Aggrieved by the Award passed by the Tribunal, the appellants / claimants have filed the present Appeal.

After due deliberations, both the parties have accepted to settle the matter for a sum of Rs.8,80,000/- without interest in addition to the Tribunal award amount Rs.14,10,880/- with interest (totally a sum of Rs.22,90,880/-). It is represented by the second respondent Insurance Company that the second respondent has already deposited the entire amount awarded by the Tribunal together with interest. The appellants have already withdrawn the Tribunal award amount with interest as per their proportionate shares. Hence, the second respondent is directed to deposit the balance award amount of Rs.8,80,000/- without interest within a period of four weeks from the date of receipt of copy of this Award.

It is represented by the learned counsel for the appellants that the first appellant died on 21.03.2021 and the appellants 2 to 4 are the legal heirs of the deceased first appellant. The learned counsel for the appellants has produced a copy of the Death Certificate and the Legal Heirship Certificate. Registry is directed to carryout the necessary amendment in the cause title. Hence, the appellants 2 to 4 / claimants 2 to 4 are permitted to withdraw the balance award amount of Rs.8,80,000/- without interest equally by filing formal application before the Tribunal.

M.GANESAN



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M.CHINNAIYAN

M.ALAGAR

ALL ARE RESIDING AT 23, MULLAIKARAI, CORPORATION COLONY,
KEERATHURAI, MADURAI.

Counsel for the Appellant/s

SUNDARAPANDIAN

S/O. S.M.SOMASUNDARAM, NO. 14/8A, PANKAJAM COLONY, 2ND STREET,
MADURAI - 625 001.

M/S. ICICI LOMBARD GENERAL

INSURANCE COMPANY LIMITED, REP BY ITS DIVISIONAL MANAGER,
DIVISIONAL OFFICE, GNANAOLIVUPURAM, ARAPPALAYAM, CROSS ROAD,
MADURAI.

Counsel for the Respondent/s

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 Tamilnadu 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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The Original of the award shall be place in the court record and copy of the award, kept with High Court Legal Services Committee and one copy each is furnished to both parties free of cost.

In agreement of the above, both parties and their counsel have affixed their signatures/ thumb impressions in presence of the Lok Adalat Bench admitting the terms and today conditions and accordingly, the award is passed.

JUDGE

MEMBER

MEMBER

To: The Parties/Advocate concerned
Copy To

1. ADDITIONAL DISTRICT AND SESSIONS JUDGE FAST TRACK COURT I, MADURAI.
2. The Officer-in-Charge, High Court Legal Services Committee, Madurai.
3. The Section Officer, V.R. Section, Madurai Bench of Madras High Court, Madurai.

Typed By
MALA
PA To The Hon'ble Judges