



HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI

Madurai Bench of Madras High Court, Madurai - 625023

Saturday the 8th day of July 2023

NATIONAL LOK ADALAT AWARD

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

Presided Over by

The Honourable Mr Justice R.VIJAYAKUMAR

and

Members

Mr.JOHN R.D.SANTHOSAM, Mr.A.HAJA MOHIDEEN

CMA(MD) No.69 of 2023

(Appeal against the judgment and decree passed on 17/10/2022 in EC.101/2017 on the file of the COMMISSIONER / DEPUTY COMMISSIONER OF LABOUR FOR WORKMEN COMPENSATION, MADURAI)

The Divisional Manager,
The New India Assurance Company Limited, Ellis Nagar, 70 Feet Road, 12 Parvathy
Palaza, Ground Floor, Madurai.

...Appellant/s

Versus

1. Tmt.Muthulakshmi
W/o. Late. Irulandi
2. Durairaj,
S/o. Late. Irulandi, Ezhayirampannai, Sattur Taluk, Virudhunagar District.
3. Selvi. Vasanthi,
D/o. Late. Irulandi, Ezhayirampannai, Sattur Taluk, Virudhunagar District.
4. Selvi. Priya,
D/o. Late. Irulandi, Ezhayirampannai, Sattur Taluk, Virudhunagar District.
5. Dr.N.J. Arunkumar,



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Hanna Joseph Hospital, Lake View Road, K.K. Nagar, Madurai.

6. Kannayiram,

The Manager, RBE Construction, Anna Nagar 1st Street, K.K. Nagar, Madurai – 7.

7. P. Raja,

S/o. Balu Thevar, The Manager, Hanna Joseph Hospital, Lake View Road, K.K. Nagar, Madurai.

...Respondent/s

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant/s Mr.G.Prabhu Rajadurai and the counsel for the respondents 1 to 4 Mr.N.Ceeralan are present. After mutual discussion, negotiation, mediation and conciliation between both parties and with the assistance of the Bench, both sides consented for settlement.

AWARD

The present appeal has been filed by the insurance company challenging the award passed by the Commissioner under the Workmen's Compensation Act.

2. Pursuant to the award, the appellant company has deposited Rs.7,76,769/- on 09.12.2022. Both the parties have agreed that the claimants would be entitled to a sum of Rs,4,89,200/- (Rupees Four Lakhs Eighty Nine Thousand and Two Hundred only) along with accrued interest from 09.12.2022. The balance amount deposited by the insurance company shall be refunded to the company along with accrued interest from 09.12.2022.

3. The Civil Miscellaneous Appeal is disposed of on the above terms. No costs.



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The Divisional Manager,
The New India Assurance Company Limited, Ellis Nagar, 70 Feet Road, 12 Parvathy
Palaza, Ground Floor, Madurai.

Counsel for the Appellant/s

1. Tmt.Muthulakshmi
W/o. Late. Irulandi

2. Durairaj,
S/o. Late. Irulandi, Ezhayirampannai, Sattur Taluk, Virudhunagar District.

3. Selvi. Vasanthi,
D/o. Late. Irulandi, Ezhayirampannai, Sattur Taluk, Virudhunagar District.

4. Selvi. Priya,
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5. Dr.N.J. Arunkumar,
Hanna Joseph Hospital, Lake View Road, K.K. Nagar, Madurai.



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6. Kannayiram,
The Manager, RBE Construction, Anna Nagar 1st Street, K.K. Nagar, Madurai – 7.

7. P. Raja,
S/o. Balu Thevar, The Manager, Hanna Joseph Hospital, Lake View Road, K.K. Nagar,
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.

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



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To: The Parties/Advocate concerned
Copy To

1. COMMISSIONER / DEPUTY COMMISSIONER OF LABOUR FOR WORKMEN
COMPENSATION, 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
BALAJI
PS To The Hon'ble Judges