



Crl.O.P.(MD) No.55 of 2024

HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI
Madurai Bench of Madras High Court, Madurai - 625023

WEB COPY

Saturday the 9th day of December 2023

NATIONAL LOK ADALAT AWARD

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

Presided Over by

The Honourable Mr Justice P.B. BALAJI

and

Members

**Mr.P.Mohandoss, District Judge,(Retired), Mrs.C.Jeya
Indra Patel, Advocate**

CMA(MD) No.746 of 2022

(Appeal against the judgment and decree passed on 28/10/2021
in MCOP.28/2017 on the file of the SUB JUDGE,THOOTHUKUDI)

Tamilnadu State Transport Corporation Limited,
Tirunelveli Division,
Represented through its Managing Director,
Tirunelveli.

...Appellant

Versus

1.Saranya,
W/o. Late. M. Venkatesh and D/o. Murugesan,
Door No. 395/2, West Street, North Thittankulam Village,
Kovilpatti Taluk, Thoothukudi District - 628 501.

2.Minor. V. Kamalesh,
S/o. Late. M. Venkatesh,
Door No. 395/2, West Street,
North Thittankulam Village, Kovilpatti Taluk,
Thoothukudi District - 628 501.
Represented through his mother and guardian Saranya.



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3. Senthoothai,
W/o. Murugan,
Door No. 395/2, West Street,
North Thittankulam Village,
Kovilpatti Taluk,
Thoothukudi District - 628 501.

4. Murugan,
S/o. Late. kanthiah Thevar,
Door No. 395/2, West Street,
North Thittankulam Village,
Kovilpatti Taluk,
Thoothukudi District - 628 501.

...Respondents

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant Mr.R.Rajamohan and the counsel for the respondents Mr.H.Arumugam 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 State Transport Corporation is the appellant. The Appeal has been filed questioning the quantum as well as the liability. The appellant / Corporation represented by General Manager , Mr.V.Saravanan and the counsel for the Corporation and the claimants 1, 2 & 3 and the counsel for the claimants are



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present. The Tribunal awarded a sum of Rs.4,95,000/- along with interest and costs.

2. Though the appeal is preferred challenging the liability as well, today, after discussion, the parties have agreed to finalize the award amount for a sum of Rs.5,00,000/- in full and final quit. The appellant has stated that portion of the award amount has also been deposited at the time of filing of the appeal, the balance amount shall be deposited within a period of 8 weeks from today. It is made clear that the total award of Rs.5,00,000/- is inclusive of interest and costs. In the above said award, the first claimant is entitled to Rs.2,00,000/-, the second claimant / minor is entitled to Rs.1,50,000/- and the third and fourth claimants are entitled to Rs.75,000/- each.

3. On such deposit being made by the appellant / transport Corporation, the respondents 1, 3 & 4 / claimants 1, 3 & 4 are permitted to withdraw their share without insisting on formal applications before the Tribunal. The share amount of Rs. 1,50,000/- to the minor claimant - Kamalesh is ordered to be deposited in any one of the Nationalised Bank, till he attains majority. The accrued interest of the minor shall be withdrawn by the mother/natural guardian, namely, the first respondent herein once in three months directly from the bank.



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4. The court fee paid shall be refunded to the parties in the manner provided under the Court Fees Act 1870 as provided for under Sub Section 1 of Section 21 of the LSA Act, 1987, as amended in 1994.

5. The original of the award shall be placed in the Court record and copy of the award shall be kept with the High Court Legal Service Committee and one copy each is furnished to both parties free of cost.

6. 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 conditions and accordingly, the award is passed.

Tamilnadu State Transport Corporation Limited,
Tirunelveli Division, Represented through its Managing Director,
Tirunelveli.

Counsel for the Appellant

Saranya,

Minor. V. Kamalesh,
Represented through his mother and guardian Saranya.

Senthoorthai,

Murugan,

Counsel for the Respondents



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

JUDGE

MEMBER

MEMBER

To: The Parties/Advocate concerned

Copy To

1. SUB JUDGE,THOOTHUKUDI.
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

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PA To The Hon'ble Judges