



CMA(MD) No.1025 of 2021

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

WEB COPY

Saturday the 11th day of March 2023
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided Over by
The Honourable Mrs Justice L.VICTORIA GOWRI

and

Members
Mr.P.Mohandoss, District Judge (Retired)
Mr.A.Haja Mohideen

CMA(MD) No.1025 of 2021
(Appeal against the judgment and decree passed on 02/03/2021 in MCOP.
65/2013 on the file of the ADDITIONAL DISTRICT JUDGE,
PUDUKKOTTAI.)

1.NEELA
W/o.late.Alagappan,
Muthu Veerappa Chettiyar Street,
House No.14/10. Muthu Veerappan Chetti Street,
Pallathur, Karaikudi Taluk,
Now residing at Keeranippatti,
Kummankudi Post,
Thirumayam Taluk,
Pudukkottai District.

2.Palanimuthu,
D/o.Late. Alagappan,
W/o. Murukesan,
Keeranipatti Village,
Kummankudi Post,
Thirumayam Taluk,
Pudukkottai District.

...Appellants

Versus



CMA(MD) No.1025 of 2021

1.SATHESWARAN

S/o.Thangavel,
Owner of Mahendra Van bearing
Registration No.TN-63-R-7576,
No.42, Karuppukurichi, Thandalai Village,
Manamelkudi Taluk,
Pudukottai District.

*(IN RESPECT OF RI, NOTICE
DISPENSED WITH VIDE COURT
ORDER DT 22.12.2021 MADE IN
CMA(MD)NO. 1025/21 BY SAIJ.)*

2.The Branch Manager

Bajaj Aliance General Insurance Company Ltd,
No.184/25, K.P.S Copying Aarkadu, 1st Floor,
Bye pass Road,
Hotel Sowthi Krishna,
Madurai-10.

...Respondents

This case came up for settlement before the Lok Adalat. Both the parties present. The learned counsel for the appellants Mr.K.Balasundharam and the counsel for the second respondent Mr.V.Sakthivel 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

Both sides present.

2. The Tribunal has awarded a sum of Rs.3,77,800/- (Rupees Three Lakhs Seventy Seven and Eight Hundred Only) along with interest at the rate of 7.5% per annum. The second respondent/Insurance Company had already deposited a sum of Rs.6,21,377/- (Rupees Six Lakhs Twenty One Thousand Three Hundred and Seventy Seven Only) before the Tribunal. Aggrieved by the same, the



CMA(MD) No.1025 of 2021

appellants/claimants have filed this Civil Miscellaneous Appeal seeking enhancement of compensation.

3. After due deliberations, both the parties agreed to settle the issue by arriving at compensation of Rs.3,60,000/- (Rupees Three Lakhs and Sixty Thousand Only) in full quit, apart from the compensation awarded by the Tribunal. The second respondent/Insurance Company is directed to deposit a sum of Rs.3,60,000/- to the credit of M.C.O.P.No.65 of 2013 on the file of the Motor Vehicle Accident Tribunal, Additional District Court, Pudukkottai within a period of eight weeks (8) from the date of receipt of a copy of this order. On such deposit, the appellants/Claimants 1 and 2 are entitled to withdraw the full compensation amount at the ratio of 70 : 30 by filing a formal application.

4. The full Court fee paid shall be refunded to the appellants 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 Section 1 of Section 21 r/w 25 of 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 High Court Legal Services 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 today conditions and accordingly, the award is passed.



CMA(MD) No.1025 of 2021

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

NEELA

PALANIMUTHU

Counsel for the Appellants

Mr.K.Ilayaraja

For Mr.K.Baalasundharam, Senior Counsel

The Branch Manager

Bajaj Aliance General Insurance Company Limited.

Counsel for the second 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 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
WEB COPY



CMA(MD) No.1025 of 2021

MEMBER

To: The Parties/Advocate concerned
Copy To

1.ADDITIONAL DISTRICT JUDGE,
PUDUKKOTTAI.

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
KANNAN
PA To The Hon'ble Judges