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HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI

Madurai Bench of Madras High Court, Madurai - 625023

Saturday the 11th day of February 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.A.SUBRAMANIAN, District Judge(Retired) & MR.T.S.MOHAMMED
MOHIDEEN, Advocate**

CMA(MD) No.904 of 2019

(Appeal against the judgment and decree passed on 08/02/2019 in MCOP.4/2016 on the file of the SUB JUDGE,
DEVAKOTTAI)

The Branch Manager,
The New India Assurance Company,
1st Floor, PPK Complex,
South Main Street, Ambalapuram,
Puthukottai, Puthukottai District.

...Appellant

Versus

1.Valli

W/o.Bose(late), D.No.3/785, Keeranipatti Village, Madhavar St, Karaikudi Tk,
Sivagangai Dt.

2.Minor.Charmiya

D/o.Bose(late), D.No.3/785, Keeranipatti Village, Madhavar St, Karaikudi Tk,
Sivagangai Dt.

3.Minor.Santhosh

S/o.Bose(late), D.No.3/785, Keeranipatti Village, Madhavar St, Karaikudi Tk,
Sivagangai Dt. (Minors 2nd and 3rd respondents rep. through their Mother/1st
Respondent)

4.Murugesan

S/o.Ramaiya Pillai, D.No.25/33, VOC Road, Mayana Pathai, Karaikudi Tk,
Sivagangai Dt.

5.Subramanian

D.No.3/33, Yadhavar Street, Koviloor, Karaikudi Tk, Sivagangai Dt.



...Respondent/s

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant Mr.N.Dilip Kumar and the counsel for the respondents Mr.S.Shanmugam for M/s.Ajmal Associates 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 Insurance Company has filed the above appeal challenging the award amount of Rs.23,09,800/- passed by the Tribunal.

2. The parties have filed a joint compromise memo admitting to receive a sum of Rs.18,00,000/- as full quit. The entire amount has already been deposited before the concerned Tribunal. Therefore, the first and second claimants (now the second claimant is declared as major) shall be entitled to withdraw their respective share along with accrued interest.

3.The appellant Insurance Company has already deposited the entire award amount. The appellant Insurance Company is entitled to withdraw the balance amount, along with accrued interest.

4. The share of the minor third claimant shall be deposited in any one of the Nationalized Bank. The First claimant being the mother is entitled to withdraw the interest once in six months till he attains majority.

The Branch Manager
The New India Assurance Company, Puthukottai District.

Counsel for the Appellant

Valli



Minor.Charmiya

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Minor. Santhosh

Counsel for the Respondents

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.

JUDGE

MEMBER

MEMBER

To: The Parties/Advocate concerned

Copy To

1. SUB JUDGE, DEVAKOTTAI.
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

PJL/PS/TA

PA To The Hon'ble Judges