



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 Mr Justice K.K. RAMAKRISHNAN

and

Members

Mr.S.Udhayan, District Judge(Retired) , Mr.P.Ganapathi Subramanian, Advocate

CMA(MD) No.1079 of 2021

(Appeal against the judgment and decree passed on 28/07/2021 in MCOP.18/2019 on the file of the ADDITIONAL DISTRICT JUDGE, TENKASI)

ROYAL SUNDARAM ALLIANCE INSURANCE CO LTD
TVS AND SONS LTD, NO.176 D AND E, VANNARPETTAI, TIRUNELVELI.

...Appellant/s

Versus

BINDHU
W/O.LATE.NAGARAJAN, NO.667, KANDAN KARAYALAR COMPUND, PIRANOOR
BORDER, SHENCOTTAH, TIRUNELVELI DISTRICT.

MINOR HARINI
D/O.LATE.NAGARAJAN, NO.667, KANDAN KARAYALAR COMPUND, PIRANOOR
BORDER, SHENCOTTAH, TIRUNELVELI DISTRICT.

MINOR VARUN,
S/O.LATE.NAGARAJAN, NO.667, KANDAN KARAYALAR COMPUND, PIRANOOR
BORDER, SHENCOTTAH, TIRUNELVELI DISTRICT.
AVVAIYAR,
W/O.RAJAN PILLAI, NO.667, KANDAN KARAYALAR COMPUND, PIRANOOR
BORDER, SHENCOTTAH, TIRUNELVELI DISTRICT.

RAJAN PILLAI,
S/O.GURUSAMY PILLAI, NO.667, KANDAN KARAYALAR COMPUND, PIRANOOR
BORDER, SHENCOTTAH, TIRUNELVELI DISTRICT. (MINOR RESPONDENT 2 AND D ARE
REPRESENTED THROUGH THEIR GUARDIAN, NEXT FRIEND AND THEIR MOTHER BINDHU)

MADHAVANRAJ,
DRIVER OF MARUTHI WAGON R CAR, REGN NO.TN72 AC 3265, S/O.PARAMASIVAN, RAILWAY
COLONY, VISWANATHAPURAM, SHENCOTTAH, TIRUNELVELI DISTRICT.

ANTONY SAHAYA RAJAYANAYAGAM,
OWNER OF MARUTHI WAGON R CAR, REGN NO.TN72 AC 3265, S/O.PONNAMPALAM, RAILWAY
FEEDER ROAD, VISWANATHAPURAM, SHENCOTTAH, TIRUNELVELI DISTRICT.

...Respondent/s

This case came up for settlement before the Lok Adalat. Both the parties are present. The counsel for the appellant/s Mr.S.Srinivasa Raghavan and the counsel for the respondent/s Mr.K.Esakkidurai 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



Aggrieved by the award passed by the Tribunal, the appellant / Insurance Company has preferred the present appeal.

Both the parties have agreed to settle the matter in the following terms:-

Claimants 1, 4 and 5 are present. Claimants 2 and 3 are represented by the first claimant. The claimants have agreed to receive a sum of Rs.68,00,000/- (Rupees Sixty Eight Lakhs only) as full quit. The first claimant is entitled to receive a sum of Rs.40,00,000/-; claimants 2 and 3 are entitled to receive a sum of Rs.9,00,000/- each; claimants 4 and 5 are entitled to receive a sum of Rs.5,00,000/- each.

The Tribunal is directed to disburse a sum of Rs.40,00,000/- to the first claimant and a sum of Rs. 5,00,000/- each to the claimants 4 and 5. The share of the claimants 2 and 3 (ie.) Rs.18,00,000/- shall be deposited in any of the Nationalised Bank till the claimants 2 and 3 are attaining majority and the first claimant is entitled to receive the accrued interest once in six months on behalf of claimants 2 and 3. The first claimant is permitted to receive a sum of Rs.30,00,000/- and the remaining amount of Rs. 10,00,000/- shall be deposited in a Nationalised Bank. The first claimant is permitted to received the accrued interest once in six months.

It is represented by the Insurance Company that they have already deposited a sum of Rs. 3,89,433/- as TDS. They are entitled to reimburse the same by furnishing the order copy. The Insurance Company is further directed to pay the remaining the amount within a period of fifteen days from the date of receipt of a copy of this order.

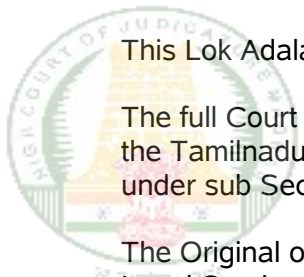
ROYAL SUNDARAM ALLIANCE INSURANCE CO LTD
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Counsel for the Appellant/s

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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 11 of the Tamil Nadu 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 placed 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 JUDGE, TENKASI.
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
PMU
PA To The Hon'ble Judges