



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 Mrs Justice S.SRIMATHY

and

Members
Mr.R.Sadayandi, District Judge(Retired)
and
Mrs.N.Krishnavani (Senior Advocate)

CMA(MD) No.1076 of 2022

(Appeal against the judgment and decree passed on 11/07/2022 in EC.93/2018 on the file of the COMMISSIONER / DEPUTY COMMISSIONER OF LABOUR FOR WORKMEN COMPENSATION, MADURAI)

The Oriental Insurance Company Limited,
Pirivu Office - 1, Pankur Dharmasala Building,
3rd Floor, No.6-A, West Veli Street,
Madurai - 625 001. ...**Appellant**

Versus

1.A. Suman,
W/o. S. Amaresh, Thilavulikhan Post,
Sorbandhra District, Ghorawal, Uttar Pradesh State.

2.Minor. S. Kajal,
S/o. S. Amaresh, Thilavulikhan Post,
Sorbandhra District, Ghorawal, Uttar Pradesh State.

3.Minor. S. Ajjal,
S/o. S. Amaresh, Thilavulikhan Post,
Sorbandhra District, Ghorawal, Uttar Pradesh State.

4.Minor. S. Arushi,
D/o. S. Amaresh, Thilavulikhan Post,
Sorbandhra District, Ghorawal, Uttar Pradesh State.

5.Minor. S. Raju,
S/o. S. Amaresh, Thilavulikhan Post,
Sorbandhra District, Ghorawal, Uttar Pradesh State.

(The 2 to 5 minor respondents are represented through mother and next friend the A. Suman)

6.M/s. Super Rubber Mix,
Owner, M/s. Sri Josemadhav, No.197/1, Kallampatti Road,
Arittampatti Post, Melur Taluk - 625 106. ...**Respondents**

This case came up for settlement before the Lok Adalat. Both the parties present. Mr.C.Jawahar Ravindaran, learned counsel for the appellant and Mr.M.N.Ramkumar, learned counsel for the respondents 1 to 5 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 amount of Rs.8,59,280/- (Rupees Eight Lakhs Fifty Nine Thousand Two Hundred and Eighty Only) along with 12% interest, passed by the Commissioner for Employees Corporation, Madurai, the appellant / Insurance Company has filed the present appeal.

2.It is represented by the learned counsel for the appellant / Insurance Company that a sum of Rs. 13,14,901/- (Rupees Thirteen Lakhs Fourteen Thousand Nine Hundred and One Only) was deposited before the authority. Now, both the parties are agreed that the claimants are entitled to a sum of Rs. 8,59,280/-(Rupees Eight Lakhs Fifty Nine Thousand Two Hundred and Eighty Only) along with accrued interest and the appellant is entitled to get the balance amount of Rs.4,55,621/- (Rupees Four Lakhs Fifty Five Thousand Six Hundred and Twenty One Only) along with accrued interest from the date of deposit before the authority. The claimants are permitted to withdraw the award amount of Rs.8,59,280/- (Rupees Eight Lakhs Fifty Nine Thousand Two Hundred and Eighty Only) with accrued interest from the authority.

The Oriental Insurance Company Limited,
Pirivu Office - 1, Pankur Dharmasala Building, 3rd Floor, No.6-A, West Veli Street, Madurai - 625 001.

Counsel for the Appellant

1.A. Suman,
W/o. S. Amaresh, Thilavulikhan Post,
Sorbandhra District, Ghorawal, Uttar Pradesh State.

2.Minor. S. Kajal,
S/o. S. Amaresh, Thilavulikhan Post,
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6.M/s. Super Rubber Mix,
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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.

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

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
YUVARANI
PA To The Hon'ble Judges