



HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI

Madurai Bench of Madras High Court, Madurai - 625023



Saturday the 9th day of September 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.V.Siva Subramanian, District Judge (Retd) & Mr.P.R.Balasubramanian, Advocate

CMA(MD) No.29 of 2023

(Appeal against the judgment and decree passed on 18/04/2022 in MCOP.45/2021 on the file of the SPL. SUB JUDGE(MCOP Cases), DINDIGUL.)

Jeganathan,
S/o. Govindan, Renganathapuram South,
NGO Colony, Balakrishnapuram, Dindigul Taluk - 624 005, Dindigul District.

...Appellant

Versus

1.P.Y.Thamilarasan
S/o. Ponnaiyan, 2G/327, Rajiv Nagar, 7th Street East, Tuticorin - 628 008.

2.The United India Insurance Company Limited,
Represented through its Divisional Manager, KAR Towers, 2nd Floor, R.S. Road, Dindigul - 624 001.

...Respondents

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant Mr.R.Thangapandian and the counsel for the second respondent Mr.A.Ilangovan 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

Heard both sides.

2. Though the Tribunal has calculated the award amount as Rs.2,16,293/-, with 7.5% interest from the date of filing of the petition till the date of realisation, after fixing 50% negligence on the part of the claimant, the Tribunal awarded only Rs.1,08,147/-. Challenging the said award, the appellant/claimant filed this appeal for enhancing the award amount.

3. After negotiation between the parties, this matter is settled in the following terms:

- The Appellant/Claimant is permitted to withdraw the amount of Rs.1,26,021/- [Rupees One Lakh Twenty Six Thousand and Twenty One only], which was already deposited before the lower Court along with accrued interest.

- In this appeal, the appellant agreed to receive a sum of Rs.1,25,000/- [Rupees One



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Lakh Twenty Five Thousand only] as full quit and the same was a the
second respondent. Therefore, the second respondent/insurance com| cted
to deposit the said Rs.1,25,000/-, to the credit of MCOP No.45 of 202 e of
the Special Sub Subordinate Court, Dindigul within a period of six weeks, from the
date of receipt of a copy of this Award. On such deposit being made, the
appellant/claimant is permitted to withdraw the said award amount, without filing any
formal petition.



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

5. 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.

6. 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.

7. 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.

Jeganathan,
S/o. Govindan, Renganathapuram South, NGO Colony, Balakrishnapuram, Dindigul Taluk - 624 005,
Dindigul District.

Counsel for the Appellant/s

P.Y.Thamilarasan
S/o. Ponnaiyan, 2G/327, Rajiv Nagar, 7th Street East, Tuticorin - 628 008.

The United India Insurance Company Limited,
Represented through its Divisional Manager, KAR Towers, 2nd Floor, R.S. Road, Dindigul - 624 001.

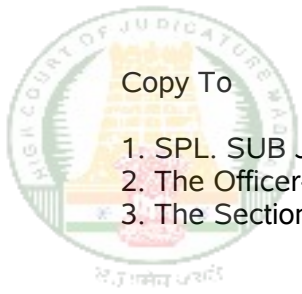
Counsel for the Respondent/s

JUDGE

MEMBER

MEMBER

To: The Parties/Advocate concerned



Copy To

1. SPL. SUB JUDGE(MCOP Cases), DINDIGUL..
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.



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PA To The Hon'ble Judges