



CMA.No.1609 of 2021

HIGH COURT LEGAL SERVICES COMMITTEE, HIGH COURT
MADRAS

National Lok Adalat organised by the High Court Legal Services
Committee

Saturday, the 9th day of March, 2024

NATIONAL LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr.JUSTICE **K.RAJASEKAR**
and

Members

Mr.K.V.Muthu Visakan

Mr.M.Pughazhendi (District Judge, Retd.)

C.M.A.No. 1609 of 2021

(Civil Miscellaneous Appeal is filed against the Judgment and Decree dated 10.11.2020 passed in M.A.C.T.O.P.No.4273 of 2018 on the file of the Motor Accident Claims Tribunal, V Small Causes Court, Chennai)

Between

National Insurance Company Ltd.,
Motor Third Party (Cell),
Regina Mansion, 3rd Floor,
No.46, Moore Street,
Chennai.
Appellant

..

Vs.

1.M.Adhimoolam

2.A.Shankar

....

Respondents

(2nd Respondent set *ex parte*
before the Tribunal).

This case came up for settlement before the National Lok Adalat. Both the parties are present. Ms.N.B.Sureka, the learned counsel for the Appellant and Mr.Varadhakamaraj, learned counsel for the 1st Respondent is present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:



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TERMS OF SETTLEMENT

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The Appellant/National Insurance Company Ltd., is represented by its counsel Ms.N.B.Sureka and Mr.Varadhakamaraj, learned counsel for the 1st Respondent is present before the National Lok Adalat today for conciliation.

2. This is a case of motor accident, wherein the first respondent sustained grievous injuries. The Tribunal has passed an award amount of Rs.11,16,500/- (Rupees Eleven Lakhs Sixteen Thousand Five Hundred only) with interest at the rate of 7.5% per annum from the date of numbering of petition till the date of realization with costs.

3.After great deliberation and discussion, both parties have compromised for a sum of Rs.10,00,000/- (Rupees Ten Lakhs Rupees only) along with interest at the rate of 7.5% per annum from the date of numbering of petition till the date of realization, with proportionate cost.

4.The Appellant /National Insurance Company Ltd., has agreed to deposit the compromised amount, less the amount if any, already deposited by them, within a period of six weeks from the date of receipt of a copy of this Award.

5.In view of the compromise arrived at between both the parties, the National Lok Adalat hereby declare and decree that the Appellant/National Insurance Company shall deposit a sum of Rs.10,00,000/- (Rupees Ten Lakhs Rupees only) along with interest at the rate of 7.5% per annum from the date of numbering of petition till the date of realization, with proportionate cost, within a period of six weeks from the date of receipt of a copy of this award to the credit of M.A.C.T.O.P.No.4273 of 2018 on the file of the Motor Accident Claims Tribunal, V Small Causes Court, Chennai.

On such deposit, the 1st Respondent/Claimant is permitted to withdraw the sum of Rs.10,00,000/-, (Rupees Ten Lakhs Rupees only) along with interest and proportionate cost without filing any formal petition, before the competent Court. The Award is passed in terms of the above settlement.

The Appeal is ordered accordingly. Consequently, the connected C.M.P.No. 8446 of 2021 is closed.



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The National Insurance Company Ltd.,
Chennai
Mrs.N.B.Sureka
Counsel for the Appellant

1.M.Adhimoolam
2.A.Shankar

Counsel for the 1st Respondent

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

The Court fee paid shall be refunded to the parties in the manner provided under 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.The Motor Accident Claims Tribunal, 5th Small Causes Court, Chennai,

2.The Secretary, High Court Legal Services Committee, Chennai.

3.The Section Officer, V.R.Section, High Court, Madras.

4.The Section Officer, Lok Adalat Section, High Court, Madras.

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K.RAJASEKAR, J.

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C.M.A.No.1609 of 2021 and
C.M.P.No.8446 of 2021

09.03.2024