



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday the 14th day of September 2024
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

THE HONOURABLE Mr.JUSTICE A.RAMAMURTHI (RETD.)
and

Members:

- 1.Mr. J. Justin David, District Judge (Retd.)
- 2.Mr. M.R. Surya Kumar, Advocate

C.M.A. No.173 of 2024

Civil Miscellaneous Appeal against the judgment and decree dated 11.07.2022 in M.C.O.P. No.3033 of 2015 on the file of the Motor Accidents Claim Tribunal/V Court of Small Causes, Chennai.

G. Ishwarya,

... Appellant

Vs.

1. Seeman
2. Reliance General Insurance Co. Ltd.,
No.6, Haddows Road,
6th Floor,
Chennai - 6.

... Respondents

With the consent of both the parties, this case is taken up for settlement before this Lok Adalat. Both the parties are present Mr. K. Varadha Kamaraj, learned counsel for appellant and Mr.K.Vinodh, learned counsel for the 2nd respondent / Insurance Company are present. R1 was set ex-parte before the Tribunal. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:



TERMS OF SETTLEMENT

Both the parties and their counsel are present. This appeal has been filed by the Claimant seeking for enhancement of the award amount of Rs.4,35,410/- with interest. It is reported that a sum of Rs.4,35,410/- was deposited and already withdrawn by the claimant.

2. Now the parties agreed to enhance the award amount to a further sum of Rs.2,00,000/- as full quit inclusive of interest.

4. Accordingly, the appellant / Insurance Company is now directed to deposit a further sum of Rs.2,00,000/- as full quit over and above the amount awarded by the Tribunal, within a period of six weeks from the date of receipt of a copy of this order.

5. On such deposit, the claimant is entitled to withdraw the enhanced amount of Rs.2,00,000/-. If the Insurance Company failed to deposit the modified award amount, within the said period, the claimant is entitled to claim interest @ 7.5% p.a., from the date of default.

6. On such deposit being made, the Tribunal is directed to transfer the amount through RTGS/NEFT to the claimant bank account on proper identification of them, in accordance with the terms of the award, without insisting on any formal petition.

7. Accordingly, the Civil Miscellaneous Appeal is disposed of. No costs. Consequently, connected miscellaneous petition, if any is closed.

G. Ishwarya

Counsel for the appellant

1. Seeman

2. Reliance General Insurance Co. Ltd.,
No.6, Haddows Road,
6th Floor,

Chennai - 6.

Counsel for respondents



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

The Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A 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.

Judge

Member

Member



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A.RAMAMURTHI, J. (RETD.)

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To: The parties/Advocate concerned

Copy to:

1.Motor Accidents Claim Tribunal/

The Judge, V Court of Small Causes, 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.+2 copies

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14.09.2024