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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 **K. GNANAPRAKASAM (RETD.)**
and

Members:

- 1.Mr.S.Baskaran District Judge (Retd.)
- 2.Ms.Jemmy Vasanth

C.M.A.No.780 of 2024

(Civil Miscellaneous Appeal is filed against the award of the Motor Claims Tribunal, III Additional District Judge, Cuddalore, Vridhachalam made in MCOP No. 61 of 2021 dated 01.08.2023 praying to enhance the award.

Thamizharasi

...Petitioner/Appellant

Vs.

1.Jayagopal
(R1 remained Exparte before the Tribunal)

2.The National Insurance Co. Ltd.,
Motor TP Hub,
No.110, Jawaharlal Nehru Salai,
Pondicherry

.. Respondents/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.S.Udhayakumar, learned counsel for appellant and Mr.C.Paranthaman, learned Counsel for the second respondent/Insurance Company is present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

**TERMS OF SETTLEMENT**

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The Tribunal has awarded a sum of Rs.12,74,600/- with interest at the rate of 7.5% per annum from the date of petition till the date of realization. Aggrieved by the said award, the appellant has preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed that the second respondent/Insurance Company has agreed to pay a sum of Rs.5,40,000/- over and above the Tribunal's award amount. However, the Insurance Company has agreed to pay the said sum of Rs.5,40,000/- alone without interest. The Insurance Company is directed to deposit the said amount of Rs.5,40,000/- within a period of eight (8) weeks from the date of receipt of a copy of this order. On such deposit, the claimant is permitted to withdraw the said amount of Rs.5,40,000/-, without filing any formal petition.

3. It is stated that the appellant is aged about 55 years and requires the entire amount for her livelihood and for better prospect of her life. The appellant therefore, is entitled to withdraw the entire amount with accrued interest.

4. The Tribunal is directed to issue the cheque to the party Thamizharasi W/o.Rajalingam on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

5. The 2nd respondent/ National Insurance Co. Ltd., is directed to deposit



the amount of compensation now arrived at today, less the amount already deposited, if any, within a period of four weeks. On such deposit being made, the appellant is permitted to withdraw the entire amount on filing proper applications.

Thamizharasi

Counsel for Appellant

National Insurance Co. Ltd.,
Motor TP Hub,
No.110, Jawaharlal Nehru Salai,
Pondicherry

Counsel for second respondent

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 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

To: The parties/Advocate concerned

Copy to:

1. Motor Claims Tribunal,



(III Additional District Judge, Cuddalore at Vridhachalam (MACT)

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

K. GNANAPRAKASAM, J (RETD.)

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14.09.2024