



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.572 of 2023

(Civil Miscellaneous Appeal is filed against the fair and decretal award passed by the learned III Additional District and Sessions Judge Cuddalore at Vridhachalam (Motor Accident Claims Tribunal) dated 28.09.2021 in M.C.O.P.No.435 of 2018.

- 1.Rajakumari
2. Gnanasundari
- 3.Balasubramaniyan
- 4.Sangeetha
- 5.Seethalakshmi,

...Petitioners/Appellants

Vs.

- 1.Thiruvadurai
(R1 remained Exparte)

- 2.The New India Assurance Company Ltd.

Divisional Office, No.179, 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.J.Chandran, 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.6,22,000/- with interest at the rate of 7.5% per annum from the date of petition till the date of deposit. Aggrieved by the said award, the appellants have 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.3,00,000/- over and above the Tribunal's award amount. However, the Insurance Company has agreed to pay the said sum of Rs.3,00,000/- alone without interest. The Insurance Company is directed to deposit the said amount of Rs.3,00,000/- within a period of eight (8) weeks from the date of receipt of a copy of this order. On such deposit, the claimants are permitted to withdraw the said amount of Rs.3,00,000/-, without filing any formal petition.

3. The Tribunal is directed to issue the cheque to the claimants on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

4. The 2nd respondent/the New India Assurance Company Ltd., is directed to deposit the amount of compensation now arrived at today, less the amount already deposited, if any, within a period of eight weeks. On such deposit



being made, the appellants are permitted to withdraw the entire amount as arrived at by the Tribunal's award amount with accrued interest on filing proper applications.

1. Rajakumari

2. Gnanasundari

3. Balasubramanian

4. Sangeetha

5. Seethalakshmi

Counsel for Appellant

The New India Assurance Company Ltd.
Divisional Office, No.179, 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



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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



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K. GNANAPRAKASAM, J (RETD.)

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C.M.A.No. 572 of 2023

14.09.2024