



CMA.No.2447 of 2022

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.M.Pughazhendi (District Judge, Retd.)
Mr.K.V.Muthu Visakan (Advocate)

C.M.A.No.2447 of 2022

(Civil Miscellaneous Appeal is filed against the Judgment and Decree dated 25.02.2019 passed in MCOP.No.14 of 2018 on the file of the Motor Accident Claims Tribunal, Vellore, (I Additional District and Sessions Judge at Vellore).

Between

1. C.Manogaran
2. M.Nirmala

.. Appellants

Vs.

- 1.M.Sakthivel,
- 2.The National Insurance Company Ltd.,
Rep. by its Divisional Manager,
3rd party Claims Hub,
No.9, Infantry Road,
Vellore-632 001.

... Respondents

(1st Respondent set *ex parte*
before the Tribunal).

This case came up for settlement before the National Lok Adalat. Both the parties are present. Mrs.S.Sivasankari, the learned counsel for the Appellants and Mr.J.Chandran, learned counsel for the 2nd Respondent are present. After mutual discussion, negotiation,



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mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

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TERMS OF SETTLEMENT

The Appellants is represented by its counsel Mrs.S.Sivasankari and Mr.J.Chandran, learned counsel for the 2nd Respondent are present before the National Lok Adalat today for conciliation.

2. This is a case of motor accident causing fatal. The Tribunal has passed an award amount of Rs.7,40,400/- (Rupees Seven Lakhs Forty Thousand Four Hundred only) with interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit of award amount. The said sum has already been deposited by 2nd Respondent/Insurance Company and the same has been withdrawn by the Appellants herein.

3.In view of the compromise arrived at between both parties, the Lok Adalat hereby declare and decree that the second respondent/Insurance Company shall pay enhanced sum of Rs.2,50,000/- (Two Lakhs Fifty Thounsand Only) in full quit (inclusive of interest) in addition to the award already passed by the Tribunal. Since the awarded amount has already been deposited before the competent court, the 2nd respondent/Insurance Company shall deposit the enhanced compensation amount of Rs.2,50,000/- (Two Lakhs Fifty Thounsand Only) within a period of four weeks from the date of receipt of a copy of this order, failing which, the 2nd respondent/Insurance Company shall pay interest at 9% per annum on the above said amount from this date till the date of deposit.

4.On deposit of the above said amount, the appellants herein are permitted to withdraw the entire enhanced award amount without filing any formal petition before the competent court.

5.The Tribunal is directed to issue the enhanced award amount through NEFT/RTGS to the party concerned on proper identification in accordance with the terms of the award, without



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insisting on any formal permission petition.

6.The Civil Miscellaneous Appeal is ordered in terms of the above settlement. No order as to costs.

1. C.Manogaran
2. M.Nirmala
Counsel for the Appellants

1.M.Sakthivel,
2.The National Insurance Company Ltd.,
Rep. by its Divisional Manager,
3rd party Claims Hub,
No.9, Infantry Road,
Vellore-632 001.
Counsel for 2nd Respondent
(1st Respondent set *ex parte*
before the Tribunal).

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

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To
The parties/Advocate concerned

Copy to

- 1.The Motor Accident Claims Tribunal, Vellore, (I Additional District and Sessions Judge at Vellore)
- 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.

gvn

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09.03.2024