



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th December, 2024

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LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE P.B.BALAJI
and

Members

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

Mrs.D.Prasanna Advocate

CMA.No.1300 of 2023

Appeal against the order in M.C.O.P.No.1021 of 2016 dated 06.01.2022 on the file of the Motor Accident Claims Tribunal/Additional District Court, Fast Track Court, Kanchipuram.

- 1.D.Balammal (Died)
- 2.P.Devadoss
- 3.D.Xaviour
- 4.D.Sagayaraj

... Appellants

Vs.

- 1.K.Kotteswaran
- 2.The Manager,
Oriental Insurance Company Ltd.,
Motor Third Party Claim Office,
Oriental House, 2nd Floor,
No.216, Prakasam Salai,
Broadway, Chennai -600 002.
- 3.S.Syed Ayazuddin
- 4.The Manager,
Bajaj Alliance General Insurance Company Ltd.,
Motor Third Party Claim Office,
No.276, 277/497, Poonamallee High Road,
Chennai – 600 106.

... Respondents



This case came up for settlement before the National Lok Adalat. Both the parties are present. **Mr.M.Sivakumar**, the learned counsel for the Appellant(s) and **Mr.Rajadurai**, the learned counsel for the 4th respondent are present. After mutual discussion, negotiation, mediation and conciliation between both the parties, they arrived at a compromise to settle the matter as follows:-

TERMS OF SETTLEMENT

The appeal is at the instance of the legal heirs of the deceased D.Chinnappa who died as bachelor. The claim is preferred by the parents and brothers of the deceased. As against the award of the Tribunal, the claimants preferred the above civil miscellaneous appeal.

2.The present claim is against the 4th respondent/Bajaj Alliance General Insurance Company Limited is being settled today at this Lok Adalat.

3.It is brought to our notice that the deposited amount of Rs.4,63,400/- along with interest at 7.5% has already been withdrawn by the parents of the deceased during the lifetime of the mother.

4.The award against the 4th respondent was RS.4,63,400/- and after deliberation, the parties have mutually arrived at Rs.8,00,000/- over and above, in full quit (inclusive of interest and costs).

5.Today, it is reported by the learned counsel for the appellants that the 1st appellant died on 11.11.2023, pending appeal and a copy of the Death Certificate is also attached.

6.The 4th respondent/Bajaj Alliance General Insurance Company is directed to deposit the enhanced amount of Rs.8,00,000/- (Rupees Eight Lakhs only), within a period of eight weeks from today. On such deposit, the appellants/claimants are permitted to withdraw the enhanced amount. On such deposit, the 2nd appellant/claimant is entitled to a sum of Rs.4,00,000/- and the appellants/claimants



3 and 4 are entitled to a sum of Rs.2,00,000/- each. Award is passed accordingly.

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7. The Tribunal is directed to transfer the amount in favour of the claimants through RTGS/NEFT, on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

1.D.Balammal (Died)

2.P.Devadoss

3.D.Xaviour

4.D.Sagayaraj

...Counsel for the Appellants

The Manager,
Bajaj Alliance General Insurance Company Ltd.,
Motor Third Party Claim Office,
No.276, 277/497, Poonamallee High Road,
Chennai – 600 106.

...Counsel for the 4th respondent

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



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r/w 25 of LSA Act 1987 as amended in 1994.

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Judge

Member

Member



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P.B.BALAJI
ata/sli

To: The parties/Advocate concerned
Copy to:

1. The Motor Accident Claims Tribunal/Additional District Court, Fast Track Court, Kanchipuram.
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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