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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 (Retd., DJ)
- 2.Ms.Jemmy Vasanth

C.M.A. No. of 1723 of 2021

(Civil Miscellaneous Appeal is filed against the judgment and decree passed in M.C.O.P.No.269 of 2014 dated 30.08.2016 on the file of Motor Accident Claims Tribunal (Sub-Judge), Hosur)

The Divisional Manager,
The National Insurance Co., Ltd.,
C.N.A. Road, Vaniyampadi,
Vellore – 635 751.
Appellant

...

Vs.

1.Srinivasan
S/o. Kanniappan
Since mentally challenged
rep., by his wife Manjula

2.R.Gunasekaran

... 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. J. Chandran, learned counsel for appellant, Mr.M.Sivakumar, learned counsel for the first respondent and Mr.V.Raghupathi, learned counsel for the second respondent are 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

The Tribunal has awarded a sum of Rs.26,46,500/- 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 appellants have preferred the present appeal.

2. Both the learned counsel for the appellant and respondents are present. Parties are also present.

3. It is stated that the first respondent / claimant has agreed for reduction of the amount and settled for a sum of Rs.21,46,500/- together with interest at the rate of 7.5% per annum from the date of petition till the date of realization.



4. Both the parties agreed that the appellant/National Insurance Co.,

Ltd., had already deposited 50% of amount, as awarded by the Tribunal.

Now the appellant/National Insurance Co., Ltd., has agreed to pay a sum of Rs.21,46,500/- with interest at 7.5% award amount. However, the National Insurance Co., Ltd., is directed to deposit the said amount of Rs.21,46,500/- with interest at 7.5% within a period of eight weeks, less the amount already deposited, if any. On such deposit, the first respondent / claimant is permitted to withdraw the said amount of Rs.21,46,500/-, with interest at 7.5% from the date of receipt of a copy of this order, to the credit of M.C.O.P.No.269 of 2014, on the file of the Motor Accident Claims Tribunal (Sub-Judge), Hosur. On such deposit being made, the first respondent / claimant is permitted to withdraw the amount on filing proper applications.

5. The Tribunal is directed to transfer the above said award amount to the Bank account of the first respondent / claimant by way of NEFT / RTGS, 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.



The Divisional Manager,
The National Insurance Co., Ltd.,
C.N.A. Road, Vaniyampadi,
Vellore – 635 751.

Counsel for Appellant

Srinivasan
S/o. Kanniappan
Since mentally challenged
rep., by his wife Manjula

Counsel for first 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



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- 1.Motor Accident Claims Tribunal (Sub-Judge), Hosur.
- 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. of 1723 of 2021

14.09.2024