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

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE T.N.VALLINAYAGAM (RETD)
and

Members

Mr.M.Sambasivam, District Judge (Retd.)
Mr.P.Arasammal, Advocate

C.M.A.No.1119 of 2024

(Appeal against the decree and judgement passed in
MCOP.No.1969 of 2018 dated 23.10.2021 on the file of the Motor Accident
Claim Tribunal/Chief Judicial Magistrate, Cuddalore.)

M.Prithviraj

... Appellant

Vs

1.R.B.Venkatesaperumal

2.United India Insurance Co. Ltd.,
Third Party Service Hub
Plot No.35, 36, 37, AR Plaza
45 Feet Road, Balaji Nagar Extn.
Saram, Puducherry-605 011

...Respondents

This case is taken up for settlement before the National Lok Adalat.
Ms.Ramya V. Rao, learned counsel for the appellant and Ms.V.Vikma for
Mr.J.Michael Visuvasam, learned counsel for the second respondent is
present through the office before this Court.



The Claimant filed a claim petition before the Tribunal claiming compensation of Rs.25,00,000/-. The Tribunal awarded a sum of Rs.5,84,004/- (Rupees Five Lakhs Eighty Four Thousand and Four only) with interest at the rate of 7.5% from the date of petition till the date of realisation.

2. Aggrieved by the compensation awarded by the Tribunal, the Appellant / claimant preferred this appeal before this Court.

3. Now, both the parties entered into negotiation and finally settled the issue arisen between them as follows :

(i) As against the award amount of Rs.5,84,004/- with interest at 7.5% per annum, the parties have agreed to settle for a total sum of Rs.3,00,000/- [Rupees Three Lakhs only] over and above the award amount in full quit. Thereby, the second respondent / Insurance Company is directed to deposit the agreed amount less the amount already deposited within a period of four (4) weeks from the date of receipt of a copy of this order.

(ii) Upon such deposit, the appellant /claimant is entitled to withdraw the entire sum without any formal application and only upon verification of the identity.

4. In terms of the compromise arrived at between the parties, this Civil Miscellaneous Appeal is disposed of accordingly.

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.



M.Prithviraj

Counsel for the Appellant

1.R.B.Venkatesaperumal

2.United India Insurance Co. Ltd.,
Third Party Service Hub
Plot No.35, 36, 37, AR Plaza
45 Feet Road, Balaji Nagar Extn.
Saram, Puducherry-605 011

Counsel for the respondents

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

The full Court fees paid shall be refunded to the parties in the manner provided under 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.The Motor Accident Claim Tribunal/Chief Judicial Magistrate, Cuddalore
- 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

T.N.VALLINAYAGAM (RETD), J.



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14.09.2024