



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 09th 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 Mrs. Justice R. KALAIMATHI

AND

Members

Mr. A. Thanikasalam, District Judge (Retd.)

Mrs. K. Kavitha, Advocate

C.M.A.No.1238 of 2023

Appeal against the Judgment and Decree in M.C.O.P.No.7324 of 2016 dated 25.04.2022 on the file of the Motor Accident Claims Tribunal, (in the III-Court of Small Causes), Chennai.

C. Arun Sekaran

...Appellant

Vs.

1. M. Charles Antony

2. United India Insurance Co. Ltd.,

Motor Third Party Claims Office,

Shillingi Buildings, 134 Greaves Road,

Chennai – 600 006.

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr. K. Varadhakamaraj, learned counsel for appellant is present. Mr. S. Dhakshinamurthy, learned counsel for the second respondent is also 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.4,24,500/- with interest @ 7.5% p.a. from the date of numbering of petition till the date of realisation as compensation. Aggrieved by the award of the Tribunal, the appellant had preferred the present appeal.

2. After due deliberation, both the parties have agreed to settle the award for a sum of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only) in full quit over and above of the award amount.



3. The 2nd respondent/Insurance Company is directed to deposit the above said enhanced award amount of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand only), after deducting the amount already deposited if any, within a period of six weeks from the date of receipt of a copy of this award.

4. On such deposit, the Appellant/claimant is permitted to withdraw the enhanced amount without filing any formal petition.

5. The Tribunal is directed to transfer the amount through RTGS/NEFT to the parties concerned on proper identification in accordance with the terms of the award, with out insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected miscellaneous petition is also closed, if any.

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

The entire 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.

C.Arun Sekaran

Counsel for the Appellant

1.M.Charles Antony

2.United India Insurance Co.Ltd.,
Motor Third Party Claims Office,
Shillingi Buildings, 134 Greaves Road,
Chennai – 600 006.

Counsel for the Respondent

Judge

Member

Member



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To:

The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal,
(in the III-Court of Small Causes), Chennai.
- 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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R.KALAIMATHI,J.

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09.03.2024
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