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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 A.RAMAMURTHI (RETD.)
and

Members:

- 1.Mr. J. Justin David, District Judge (Retd.)
- 2.Mr. M.R. Surya Kumar, Advocate

C.M.A. No.717 of 2023

Civil Miscellaneous Appeal against the judgment and decree dated 08.02.2019 in MCOP.No.182 of 2017 on the file of the Motor Accidents Claim Tribunal/Special Sub Judge, District and Sessions Court at Krishnagiri.

The Branch Manager,

Reliance General Ins. Co. Ltd.,

3rd Floor,

No.408, Perundurai Road,

Erode - 638 011.

... Appellant

Vs.

1. S. Pradeep Kumar

2. C. Chandru

... Respondents

With the consent of both the parties, this case is taken up for settlement before this Lok Adalat. Both the parties are present. Ms.C.Bhuvanasundari, learned counsel for appellant and Mr.K. Varadha Kamaraj, learned counsel for the 1st / claimant are present. R2 was set ex-parte before the Tribunal. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:



Both the parties and their counsel are present. The Insurance Company have preferred the present appeal aggrieved against the award of Rs.9,70,440/- with interest.

2. Now the parties agreed to pass the modified award for Rs.14,18,969/- in full quit, inclusive of interest.

3. The learned counsel for the appellant / Insurance Company reported that the Insurance Company has already deposited Rs.7,43,969/- and statutory deposit of Rs.25,000/-.

4. Accordingly, the Insurance Company is now directed to deposit a further sum of Rs.6,50,000/- as full quit, within a period of six weeks from the date of receipt of a copy of this order.

5. On such deposit, the claimant is entitled to withdraw the modified award amount of Rs.14,18,969/-. If the Insurance Company failed to deposit the modified award amount, within the said period, the claimant is entitled to claim interest @ 7.5% p.a., from the date of default.

6. On such deposit being made, the Tribunal is directed to transfer the amount through RTGS/NEFT to the claimant bank account on proper identification of them, in accordance with the terms of the award, without insisting on any formal petition.

7. Accordingly, the Civil Miscellaneous Appeal is disposed of. No costs. Consequently, connected miscellaneous petition, if any is closed.

The Branch Manager,
Reliance General Ins. Co. Ltd.,
3rd Floor,
No.408, Perundurai Road,
Erode - 638 011.

Counsel for Appellant

1. S. Pradeep Kumar



2. C. Chandru

Counsel for respondents

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

The 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

A.RAMAMURTHI, J. (RETD.)



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To: The parties/Advocate concerned

Copy to:

1.Motor Accidents Claim Tribunal/

The Special Sub Judge, District and Sessions Court at Krishnagiri.

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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14.09.2024