



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 Hon'ble Mr.JUSTICE B.GOKULDAS (Retd.)
AND

Members

- 1.Mr.M.Jagan, Legal aid counsel
- 2.Mr.V.Arumugam, District Judge (Retd.)

C.M.A.Nos.310 & 1634 of 2024

(Against the award and decree passed on **14.03.2023** made in M.C.O.P.No.**5239 of 2018** on the file of the **Motor Accident Claims Tribunal, (III Small Causes Court) at Chennai**).

C.M.A.No.310 of 2024

- 1.Maragadam, W/o.Govindaraj
- 2.Jagan, S/o.Govindaraj
- 3.Suresh Kumar, S/o.Govindaraj
- 4.Murugan, S/o.Govindaraj
- 5.Ganesh, S/o.Govindaraj
- 6.Sudha, D/o.Govindaraj

... Appellants

Vs.

- 1.R.Aravindhan, S/o.Rajan
- 2.United India Insurance Co. Ltd.,
No.134, Greams Road, IV Floor, Anna Salai
Chennai 600 001

.. Respondents

C.M.A.No.1634 of 2024

- United India Insurance Co. Ltd.,
Silingi Buildings, 4th Floor,
No.134, Greams Road, Chennai 600 006

... Appellant

Vs.

- 1.Maragadam, W/o.Govindaraj



- 2.Jagan, S/o.Govindaraj
- 3.Suresh Kumar, S/o.Govindaraj
- 4.Murugan, S/o.Govindaraj
- 5.Ganesh, S/o.Govindaraj
- 6.Sudha, D/o.Govindaraj
- 7.R.Aravindhan, S/o.Rajan

.. Respondents

These cases came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the claimants, **Mr.Terry Chellaraja** and the learned counsel for the **second** respondent **Mr.P.Sankara Narayanan** are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

COMMON TERMS OF SETTLEMENT

Both the parties and their respective counsel are present. The above appeals have been preferred by the claimants and the Insurance Company, challenging the quantum of amount awarded by the Tribunal. The Tribunal has awarded a sum of Rs.23,43,000/-. Out of the award amount, the Insurance company has already deposited a sum of Rs.16,66,299/- before the Tribunal.

2.Parties have now arrived at a settlement, by which the Insurance Company is agreed to pay a sum of Rs.3,75,000/- (Rupees three lakh and seventy five thousand only) over and above the amount deposited by the Insurance company before Tribunal, in full quit to the claimants, within a period of six weeks from the date of receipt of a copy of this order.

3.The Insurance Company shall deposit a sum of Rs.3,75,000/- (Rupees three lakh and seventy five thousand only) over and above the amount deposited by the Insurance company before Tribunal, within a period of six weeks from the date of receipt of a copy of this order, failing which the Insurance Company agreed to pay interest at the rate of 7.5% per annum.

4.On such deposit, the first claimant/wife is entitled to receive a sum of



Rs.10,00,000/-. The remaining award amount shall be shared equally by the claimants 2 to 6.

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5. The claimants are permitted to withdraw their respective award amounts. The Tribunal is directed to follow the usual mode of payment on proper identification of the parties, concerned, in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

1. Maragadam, W/o. Govindaraj
2. Jagan, S/o. Govindaraj
3. Suresh Kumar, S/o. Govindaraj
4. Murugan, S/o. Govindaraj
5. Ganesh, S/o. Govindaraj
6. Sudha, D/o. Govindaraj

Counsel for the Claimants

United India Insurance Co. Ltd.,
No.134, Greams Road, IV Floor, Anna Salai
Chennai 600 001

Counsel for the Insurance Company

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

The Court fee paid shall be refunded to the parties in the manner provided under 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



B.GOKULDAS.,J.

sai/vca

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The parties/Advocate concerned

Copy to

- 1.The Motor Accident Claims Tribunal,
(III Small Causes Court) at 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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14.09.2024