



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.V.Arumugam, District Judge (Retd.)

2.Mr.M.Jagan, Legal aid counsel

C.M.A.No.2277 of 2024

(Against the award and decree passed on **11.03.2024** made in M.C.O.P.No.**104 of 2022** on the file of the **Motor Accident Claims Tribunal, Subordinate Court, Palacode**).

M/s.Future Generali India Insurance Co. Ltd.,
Represented by its Branch Manager
5th Floor, The Oval Tower,
No.10/12, Venkatanaarayana Road,
Parthasarathi Puram,
T.Nagar, Chennai 600 017.

... Appellant

Vs.

1.Kaveriyammal, W/o.Munnusamy
D.No.6/150, Upparahalli Village
Amanimallapuram Post, Palacode Taluk
Dharmapuri District.

2.M.Rajkumar, S/o.Muniyappan
D.No.5/243, Theertharahalli Village
P.Chettihalli Post, Palacode Taluk
Dharmapuri District.

.. Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the appellant, **Mr.Rajadurai** and the learned counsel for the **first** respondent **Mr.P.Dinesh Kumar** 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

Both the parties and their respective counsel are present.



2.The above appeal has been preferred by the Insurance Company, challenging the quantum of amount awarded by the Tribunal. The Tribunal awarded a sum of Rs.2,13,800/- to the claimant. Out of Tribunal's award amount, a sum of Rs.25,000/- was already deposited by the Insurance Company before the Tribunal.

3.Parties have now arrived at a settlement, by which the Insurance Company is agreed to pay a sum of Rs.2,10,000/- (Rupees two lakh and ten thousand only), in full quit to the claimant, within a period of four weeks from the date of receipt of a copy of this order.

4.The Insurance Company shall deposit a sum of Rs.2,10,000/-, less the amount already deposited, if any, within a period of four 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.

5.Pay and recovery ordered by the Tribunal is sustained.

6.On such deposit, the claimant is entitled to receive the entire award amount. The claimant is permitted to withdraw the entire award amount. 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.

M/s.Future Generali India Insurance Co. Ltd.,
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No.10/12, Venkatanaarayana Road,
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T.Nagar, Chennai 600 017.

Counsel for the Appellant

Kaveriyammal, W/o.Munnusamy

Counsel for the first Respondent



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.

To Member Judge Member

The parties/Advocate concerned

Copy to

- 1.The Motor Accident Claims Tribunal,
Subordinate Court, Palacode
- 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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B.GOKULDAS.,J.

sai/vca

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14.09.2024