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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 December, 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 G.CHOCKALINGAM (Retd.)

and

Members

Mr.R.Paranjothi, Dist.Judge(Retd.)

Mr.S.Jeyakumar, Advocate

C.M.A.No.1833 of 2023
and C.M.P.No.17825 of 2023

(Appeal against the Judgment and Decree passed on 06.06.2023 in
M.C.O.P.No.3604 of 2015 on the file of the Motor Accidents Claims
Tribunal, Special Subordinate Judge, Cuddalore)

The Divisional Manager,
The United India Insurance Co. Ltd.,
13A, Nethaji Road,
Cuddalore – 607 001.

.. Appellant

Vs.

1.Kumaran

2.Thanigasalam

.. Respondents

(2nd respondent remained ex-parte before the Court below)

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.R.V.Sivaraj, learned counsel for appellant and Mrs.Ramya V Rao, learned counsel for the 1st respondent 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

The appeal in CMA.No.1833 of 2023 pending on the file of High Court, Madras and preferred against the award dated 06.06.2023 passed in MCOP.No.3604 of 2015 on the file of the Motor Accidents Claims Tribunal, Special Subordinate Judge, Cuddalore) has been referred to Lok Adalat for conciliation today.

<https://www.mhc.tn.gov.in/judis> 2.The Tribunal has awarded a sum of Rs.14,55,703/- with interest



at 7.5% per annum from the date of petition till the date of deposit.

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3. Not satisfied with the award of the Tribunal, the Insurance Company has preferred the present appeal. Apart from the amount deposited in pursuant to the order dated 06.06.2023 , now the appellant has agreed to a sum of Rs.8,00,000/- (Rupees Eight Lakhs only) in full quit over and above the amount already deposited along with its accrued interest.

4. The appellant/Insurance Company is directed to deposit the amount of Rs.8,00,000/- (Rupees Eight Lakhs only), within a period of eight weeks from the date of receipt of a copy of this order, failing which, shall pay interest at the rate of 7.5% per annum from this date till the date of deposit. On such deposit, the claimant / 1st respondent is permitted to withdraw the entire amount in deposit without filing any formal petition. The Award is passed accordingly.

5.The Tribunal is directed to transfer the amount through RTGS/NEFT to the parties concerned on proper identification in accordance with terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected civil miscellaneous petition is closed.

The Divisional Manager,
The United India Insurance Co. Ltd.,
13A, Nethaji Road,
Cuddalore – 607 001.

Counsel for the appellant

1.Kumaran

Counsel for the first respondent



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

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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.

Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
Special Subordinate Judge, 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.



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rpl/rst

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14.12.2024