



C.M.A.No.2448 of 2024

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
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 Dr. JUSTICE S.VIMALA (Retd.)
AND

MEMBERS :

Mr.N.Balasubramanian, District Judge, (Retd.)
Ms.K.M.Valsala Kumari, (Advocate)

C.M.A.No.2448 of 2024

(Appeal against the judgement and decree, dated 12.01.2024 passed in
M.C.O.P. No.181 of 2022 passed by the learned Exclusive Motor Accident
Claims Tribunal, Dharmapuri)

Kannan (died)

1. Radha
2. Minor Srinithi
3. Minor Deepika
(Minor represented by its
next friend mother
Radha)

... Appellants

Vs

1. Barhath



C.M.A.No.2448 of 2024

2. The Oriental Insurance Co.Ltd.,
No.13, Dharmapuri Main Road,
Near IOC, Pennagaram, Petrol Bunk,
Dharmapuri District – 636 810

... Respondents

This case came up for settlement before the Lok Adalat. Both parties present. Mr.Amar D.Pandiya for Mr.G.Selvaraj, learned counsel for the Appellants and Mr.J.Chandran, learned counsel for the second respondent are present.

After mutual discussion and negotiation between both parties they arrived at a compromise to settle the matter as follows :

TERMS OF SETTLEMENT

The claimant filed this Appeal challenging the Award passed for a sum of Rs.69,91,600/- on 12.01.2024. The Award is challenged as inadequate.

(ii) As per the terms and conditions arrived at between the parties in the Lok Adalat, now, there shall be an Award for a sum of Rs.5,00,000/- in full quit which is over and above the Award already passed for a sum of Rs.69,91,600/-.



C.M.A.No.2448 of 2024

(iii) The respondent is directed to deposit the enhanced Award amount of Rs.5,00,000/-, within a period of four weeks from the date of receipt of a copy of this Award.

(iv) Out of the Award amount of Rs.5,00,000/-, a sum of Rs.3,00,000/- is payable to the first Appellant and the balance amount of each Rs.1,00,000/- is payable to the second and third respondents. As the second and third respondents are minor claimants, the amount shall be kept in the Bank deposit, till their time of majority.

(v) Upon such deposit, the Appellants/claimants are entitled to withdraw the entire sum without any formal application and only upon verification of the identity.

1. Radha

2. Minor Srinithi

3. Minor Deepika

Counsel for Appellants

1. Barhath



C.M.A.No.2448 of 2024

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2. The Oriental Insurance Co.Ltd.,
No.13, Dharmapuri Main Road,
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Dharmapuri District – 636 810
Respondents

Counsel for

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

The full court fee paid shall be refunded to the appellant in the manner provided under Section 71-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 2 r/w 25 of LSA Act 1987 as amended in 1994.

Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

- 1.The Exclusive Motor Accident Claims Tribunal, Dharmapuri.
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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C.M.A.No.2448 of 2024

Dr. JUSTICE S.VIMALA

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C.M.A.No.2448 of 2024

14.09.2024