



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 09th day of March, 2024

NATIONAL LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mrs. Justice R. KALAIMATHI

AND

Members

Mr. A. Thanikasalam, District Judge (Retd.)

Mrs. K. Kavitha, Advocate

C.M.A.No.2269 of 2023

AND C.M.P.No.21694 of 2023

Appeal against the Judgment and decree in M.C.O.P.No.1689 of 2018 dated 29.03.2023 on the file of the Motor Accident Claims Tribunal (II Court of Small Causes), Chennai.

United India Insurance Company Limited,
Motor III Party Claims Office
Shilingi Building, No.134 Greaves Road
Chennai 600 006

...Appellant

Vs.

1. T. Kowshalya
2. A. Damayanthi
3. L. Vijayalaxmi Joshi
4. S. Ajay Kumar
5. K. Kamalesh

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr. D. Baskaran, learned counsel for the appellant and Ms. A. Subadra, learned counsel for the respondents 1 to 4 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 Tribunal has awarded a sum of Rs.13,79,000/- with interest @ 7.5% p.a. from the date of numbering of petition till the date of realisation as compensation. Aggrieved by the award passed by the Tribunal, the appellant/Insurance Company has preferred the present appeal.

2. After due deliberation, both the parties have agreed to settle the matter for a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) with interest @ 7.5% p.a. as compensation.



3. The appellant/Insurance Company is directed to deposit the above said modified amount of Rs.10,00,000/- (Rupees Ten Lakhs only), after deducting the amount already deposited if any, within a period of six weeks from the date of receipt of a copy of this award.

4. On such deposit, the respondents 1 to 4/claimants are permitted to withdraw the modified amount without filing any formal petition.

5. The Tribunal is directed to transfer the amount through RTGS/NEFT to the parties concerned on proper identification in accordance with the terms of the award, with out insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of. Connected miscellaneous petition is closed.

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

The entire 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.

United India Insurance Company Limited,
Motor III Party Claims Office
Shilingi Building, No.134 Greams Road
Chennai 600 006

Counsel for Appellant

1.T.Kowshalya

2.A.Damayanthi

3.L.Vijayalaxmi Joshi

4.S.Ajay Kumar

Counsel for R1 to R4

Judge

Member

Member



WEB COPY

R.KALAIMATHI,J.

mac/gya

To:

The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal,(II Court of Small Causes), 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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