



HIGH COURT LEGAL SERVICES COMMITTEE, HIGH COURT MADRAS

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 9th 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 Mr.JUSTICE **K.RAJASEKAR**

and

Members

Mr.K.V.Muthu Visakan

Mr.M.Pughazhendi (District Judge, Retd.)

C.M.A.No.2295 of 2023

(Civil Miscellaneous Appeal is filed against the Judgment and Decree dated 11.03.2022 passed in M.C.O.P.No.140 of 2017 on the file of the Motor Accident Claims Tribunal, Additional District Judge, Chengalpattu)

Between

Divisional Manager,
National Insurance Company Limited,
Motor 3rd Party Claims Office,
No.763, Anna Salai, Chennai 600 002.

.. Appellant

Vs.

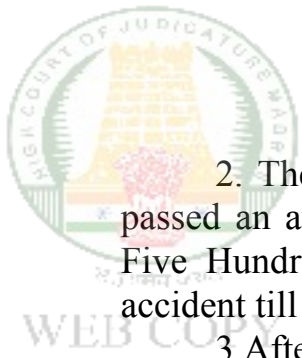
1.M.Gomathi
2.R.Murugan
3.C.Jayaprakash
(3rd Respondent set *ex parte*)

.... Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. Mr.D.Bhaskaran, the learned counsel for the Appellant and Mr.M.Dharani Dharan, learned counsel for the respondents 1 and 2 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 Appellant/National Insurance Company Ltd., is represented by its counsel Mr.D.Bhaskaran, and Mr.M.Dharani Dharan, learned counsel for the Respondents 1 and 2 are present before the National Lok Adalat today for conciliation.



2. The son of respondents 1 and 2 died in a motor accident. The Tribunal has passed an award amount of Rs.39,06,500/- (Rupees Thirty Nine Lakhs Six Thousand Five Hundred only) with interest at the rate of 7.5% per annum from the date of accident till the date of realization with costs.

3. After great deliberation and discussion, both parties have compromised for a sum of Rs.33,50,000/- (Rupees Thirty Three Lakhs Fifty Thousand only) along with interest at the rate of 7.5% per annum from the date of accident till the date of realization, with proportionate cost.

4. The Appellant /National Insurance Company Ltd., has agreed to deposit the compromised amount, less the amount if any, already deposited by them, within a period of **six weeks** from the date of receipt of a copy of this Award.

5. In view of the compromise arrived at between both the parties, the National Lok Adalat hereby declare and decree that the Appellant/National Insurance Company shall deposit a sum of Rs.33,50,000/- (Rupees Thirty Three Lakhs Fifty Thousand only) along with interest at the rate of 7.5% per annum from the date of accident till the date of realization, with proportionate cost, within a period of six weeks from the date of receipt of a copy of this award to the credit of M.C.O.P.No.140 of 2017 on the file of the Motor Accident Claims Tribunal, Additional District Judge, Chengalpattu. On such deposit, the respondents 1 and 2 are permitted to withdraw the sum of Rs.33,50,000/- (Rupees Thirty Three Lakhs Fifty Thousand only) without filing any formal petition, before the competent Court. The Award is passed in terms of the above settlement.

The Appeal is ordered accordingly.

Divisional Manager,
National Insurance Company Limited,
Motor 3rd Party Claims Office,
No.763, Anna Salai, Chennai 600 002.

Counsel for the Appellant

1.M.Gomathi

2.R.Murugan

Counsel for the Respondents



This 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

To

The parties/Advocate concerned

Copy to

1. The Motor Accident Claims Tribunal, Additional District Judge, Chengalpattu.
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.

rna/rap



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K.RAJASEKAR, J.

rna/rap

C.M.A.No.2295 of 2023

09.03.2024