



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.M.Jagan, Legal aid counsel
- 2.Mr.V.Arumugam, District Judge (Rtd)

C.M.A.No.2249 of 2023

(Against the award and decree passed on 27.03.2023 made in M.C.O.P.No.290 of 2020 on the file of the Motor Accidents Claims Tribunal, (II Additional District and Sessions Judge), Tiruvallur at Poonamallee.

1.K.S.Kumari Sreeja

2. Minor P.K.Ahilesh

3. A.Kasthuribai

4. S.Appancheyal

(Minor petitioner was represented by his mother and natural guardian
Mrs.Kumari Sreeja ... Appellants

Vs.

1. K.Senthilkumar

2. United India Insurance Company Limited,
(Third Party Cell)

Having its Office at
No.43/397A, 1st Floor,
Annai Indra Gandhi Street,
Rajajipuram,
Thiruvallur-602 001.

... Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the appellants, **Mr.K.Varadha Kamaraj** and the learned counsel for the 2nd respondent **M/s.P.Sankara Narayan** 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 claimants challenging the quantum of amount awarded by the Tribunal.

3.Parties have now arrived at a settlement, by which the Insurance Company has agreed to pay a sum of Rs.8,00,000/- (Rupees eight lakhs only) over and above the award amount passed by the tribunal and in full quit to the claimants, within a period of six weeks from the date of receipt of a copy of this order.

4.The Insurance Company shall deposit a sum of Rs.8,00,000/-, within a period of six 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. On such deposit, the claimants shall be entitled to withdraw the award amount as follows:

- | | |
|--------------------------|--------------|
| 1st claimant | - 3,00,000/- |
| 2nd claimant (Minor)- | 3,00,000/- |
| 3 rd claimant | - 1,00,000/- |
| 4 th claimant | - 1,00,000/- |

As far as the minor's share is concerned, the amount shall be deposited in a fixed deposit scheme in any one of the Nationalised Bank until the 2nd Minor claimant attains majority and thereafter he is entitled to receive the amount after filing proper petition by submitting the copy of the Bank Pass book. The accrued interest till then is permitted to withdraw by the 1st claimant viz. Mother directly once in six months and shall be spent only for the welfare of the minor claimant.



5. 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.

1. K.S. Kumari Sreeja

2. Minor P.K. Ahilesh

3. A. Kasthuribai

4. S. Appancheyal

Counsel for the Appellants

1. K. Senthilkumar

**2. United India Insurance Company Limited,
(Third Party Cell)
Having its Office at
No. 43/397A, 1st Floor, A
Annai Indra Gandhi Street,
Rajajipuram,
Thiruvallur-602 001.**

Counsel for the 2nd Respondent

This National 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.

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Judge

Member

Member

To

The parties/Advocate concerned

Copy to

- 1.The Motor Accident Claims Tribunal,
(II Additional District and Sessions Judge), Tiruvallur at Poonamallee.
- 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.

Gvn/jai

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14.09.2024