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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services
Committee

Saturday, the 14th September 2024

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE A.RAMAMURTHI (Retd.)
and

Members

Mr.J.Justin David, District Judge (Retd.)
Mr.M.R.Surya Kumar, Advocate

CMA.No. 2527 of 2017

(Appeal against the judgment and decree passed in
M.C.O.P.No.2764 of 2013 dated 07.03.2017 on the file of the Motor
Accident Claims Tribunal/II-Court of Small Causes, Chennai).

1.B.Anusuya Balakrishnan (died)

2.M.Balakrishnan

3.B.Maheswar

4.B.Usha Nandhini

... Appellants

(Sole appellant died. Appellants 2 to 4 are brought on
record as LRs of the deceased sole appellant viz.,
B.Anusuya Balakrishnan vide Court order dt. 05/07.2024
made in CMP.No.15566, 15573 & 15577 of 2022 in
CMA.No.2527 of 2017)



1.V.S.Mani Naidu

2.Bajaj Allianz General Insurance Co. Ltd.,
Old No.276-277, New No.497-498,
Poonamallee High Road,
Arumbakkam, Chennai - 600 106.

...Respondents

With the consent of both the parties, this case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.T.Senthil Vel Murugan, learned counsel for the appellants and Mr.J.Michael Visuvasam, learned counsel for the 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

Both the parties and their counsel are present.

2. The claimant, B.Anusuya Balakrishnan has preferred the appeal, aggrieved against the award amount of Rs.14,50,500/- with interest. Subsequent to filing of the appeal, Anusuya Balakrishnan died and claimants 2 to 4 were impleaded as her legal representatives.

3. Now the parties agreed to modify the award with additional amount of Rs.2,00,000/- (Rupees Two lakhs only) in full quit, inclusive



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4. The Insurance Company is directed to deposit the enhanced award amount within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the 2nd claimant is entitled to withdraw Rs.1,00,000/-(Rupees One lakh only) and the claimants 3 & 4 are entitled to withdraw Rs.50,000/- each (Rupees Fifty Thousand only). If the Insurance Company failed to deposit the enhanced award amount within the time stipulated, the claimants are entitled to claim interest at 7.5% per annum from the date of default.

5. On such deposit being made, the Tribunal is directed to transfer the amount through RTGS/NEFT to the claimant's bank account on proper identification of them, in accordance with the terms of the award, without insisting on any formal petition.

6. Accordingly, this Civil Miscellaneous Appeal is disposed of. No costs. Consequently, connected miscellaneous petitions, if any, are closed.

1.B.Anusuya Balakrishnan (died)

2.M.Balakrishnan

3.B.Maheswar

4.Bulsha Nandhini

Counsel for the Appellants



1.V.S.Mani Naidu

2.Bajaj Allianz General Insurance Co. Ltd.,
Old No.276-277, New No.497-498,
Poonamallee High Road,
Arumbakkam, Chennai - 600 106.

Counsel for the Respondents

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

The full Court fees paid shall be refunded to the parties in the manner provided under 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/II-Small Causes Court, 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
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A.RAMAMURTHI, J. (Retd.)

CMA.No.2527 of 2017

14.09.2024