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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 9th day of March 2024.

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.M.Pughazhendi
District Judge (Retd.)

Mr.K.V.Muthu Visakan
(Advocate)

C.M.A. Nos.2777 and 2847 of 2023

(Appeal against the judgment and decree passed on 21.07.2023 made in
M.C.O.P. Nos.730 and 731 of 2019 on the file of the Motor Accident claims
Tribunal, II Judge, Court of Small Causes, Chennai.)

(a). C.M.A. No. 2777 of 2023

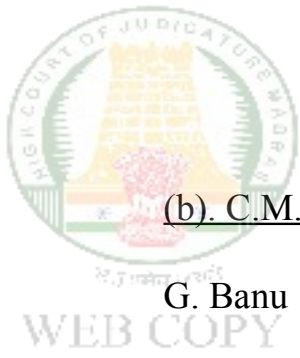
1. G. Banu
2. G. Augustine
3. G. Sophia
4. Arulmani

.. Appellants / Petitioners

Vs.

1. V. Vasudevan
2. The Manager,
National Insurance Company Limited,
Murugesu Naicker complex,
First Floor, No.66, Greems Road,
Chennai – 600 006.

.. Respondents/ Respondents



(b). C.M.A. No. 2847 of 2023

G. Banu

.. Appellant

Vs.

1. V. Vasudevan

2. The Manager,
National Insurance Company Limited,
Murugesu Naicker complex,
First Floor, No.66, Greems Road,
Chennai – 600 006.

.. Respondents/ Respondents

These cases came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the appellants Mrs. Ramya V. Rao and the learned counsel for the second respondent - National Insurance Company Limited Mr.S. Senthil Kumar are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matters as follows:

TERMS OF SETTLEMENT

Both the parties and their respective counsel are present.

2. The Tribunal has awarded a sum of Rs.24,02,800/- (Rupees Twenty Four Lakhs Two Thousand and Eight Hundred only) and Rs.70,000/- (Rupees Seventy Thousands only) in M.C.O.P. Nos.730 and 731 of 2019, respectively along with interest at 7.5% p.a. from the date of petition till the



date of realization with proportionate cost as compensation payable by the second respondent herein/ National Insurance Company Limited.

3. Aggrieved by the award, the appellants have preferred the present appeals. In C.M.A. No.2777 of 2023, both parties present and settled themselves for Rs.26,95,000/- (Rupees Twenty Six Lakhs Ninety Five Thousands only) along with interest @ 7.5% per annum from the date of filing of petition till the date of realization with proportionate cost.

4. In C.M.A. No.2847 of 2023, the second respondent - National Insurance Company Limited has deposited the entire award amount along with the interest and proportionate cost for the credit of M.C.O.P. No. 731 of 2019. However, the appellant has preferred this appeal for enhancement of compensation and both parties settled themselves for Rs.75,000/- (inclusive of interest) in full quit, over and above the awarded amount by the Tribunal.

4. The second respondent - National Insurance Company Limited is directed to deposit the award amount, now ordered after deducting any amount already deposited, within a period of six weeks from the date of receipt of a copy of this order. Award is passed accordingly. In C.M.A. No.2777 of 2023,

the first appellant/ wife of deceased Gestin is entitled to compensation of



Rs.16,45,000/- (Rupees Sixteen Lakhs and Forty Five Thousands only) and the appellants 2 to 4 are entitled to compensation of Rs.3,50,000/- (Rs. Three Lakh and Fifty Thousand only) each, along with interest @ 7.5% per annum from the date of filing of petition till the date of realization and proportionate cost. The claimants are permitted to withdraw the award amount as per the apportionment mentioned supra, after deducting the amount already withdrawn by the claimants, if any.

5. The Tribunal is directed to issue the award amount through NEFT/RTGS to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

6.The appeal is ordered accordingly.

1. G. Banu
2. G. Augustine
3. G. Sophia
4. Arulmani

Counsel for the Appellants



The Manager,
National Insurance Company Limited,
Murugesu Naicker complex,
First Floor, No.66, Greem Road,
Chennai – 600 006.

Counsel for the Second 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.

Judge

Member

Member

To
The parties/Advocate concerned

Copy to:

1. The Motor Accident claims Tribunal (II Judge, 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.

stn



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K.RAJASEKAR.J,

stn

C.M.A. Nos. 2777 and 2847 of 2023

09.03.2024