



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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 B.GOKULDAS (Retd.)
and

Members

Mr.K.BALASUBRAMANIAN, District Judge (Retd)

Mr.R.GANESH

CMA No.2968 of 2023

Appeal against the award and decree dated 20.10.2023 made in
M.C.O.P.No.73 of 2021 on the file of the Exclusive Motor Accidents Claims
Tribunal, Dharmapuri.

The Branch Manager,
National Insurance Company Ltd,
1st Floor, Karthikeya Complex,
403, B-10, Mettur Main Road, Bhavani,
Erode District – 638 301.

... Appellant

Vs.

1.Mullaikodi
W/o. Manikandan
2.Minor.M.Anusri
Rep. By her next friend/mother/1st respondent
Mullaikodi

3.Saraswathi
4.Murugan
5.K.Shanmugam

... Respondents

This case is taken up for settlement before the National Lok Adalat.
Both the parties are present. Mr.D.Bhaskaran, learned counsel for
appellant and Mr.T.Keerthivaram, learned counsel for the respondents 1 to
4 is 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.40,64,600/- with interest at 7.5% per annum from the date of petition till the date of decree and costs as compensation. Aggrieved by the award of the Tribunal, the appellant/Insurance Company had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.32,00,000/- (Rupees Thirty Two Lakhs only) with interest at the rate of 7.5% p.a. and costs as compensation.

3. The appellant /Insurance Company is directed to deposit the above said accepted award amount of Rs.32,00,000/- (Rupees Thirty 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. The modified amount shall be apportioned among the claimants / respondents 1 to 4 as follows:-

R1 (Wife)	-	Rs.15,00,000/-
R2	-	Rs.9,00,000/-
R3	-	Rs.4,00,000/-
R4	-	Rs.4,00,000/-

The share of the minor child/respondent-2 shall be deposited in any of the Nationalised Bank until she attains majority. Interest accrued thereon shall be withdrawn by the mother of the child/respondent-1 once in three months directly from the Bank.

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

6. 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, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. The connected miscellaneous petition is closed, if any.

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

The full 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.

Judge

Member

Member

The Branch Manager,
National Insurance Company Ltd,
1st Floor, Karthikeya Complex,
403, B-10, Mettur Main Road, Bhavani,
Erode District – 638 301.

Counsel for the Appellant

1.Mullaikodi
W/o. Manikandan

2.Minor.M.Anusri
Rep. By her next friend/mother/1st respondent
Mullaikodi

3.Saraswathi

4.Murugan

Counsel for the Respondents 1 to 4

To:
The parties/Advocate concerned

Copy to:

- 1.The Exclusive Motor Accidents Claims Tribunal, Dharmapuri.
- 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. (Retd.)

sp/rpl

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09.03.2024