



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th December, 2024

WEB COPY

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE P.B.BALAJI
and

Members

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

Mrs.D.Prasanna Advocate

CMA.No.1376 of 2022

Appeal against the order in M.C.O.P.No.164 of 2015 dated 19.04.2017 on the file of the Motor Accident Claims Tribunal/III Additional District and Sessions Court, Kallakurichi, Villupuram District.

National Insurance Company Limited,
Villupuram.

... Appellant

Vs.

1.S.Manimala
2.Minor S.Jagadish
3.Minor S.Jagannathan
4.J.Neela
5.Sharvanan

... Respondents

[Minors 2 and 3 respondents are rep. by their next friend / garnishee mother, the 1st respondent]

This case came up for settlement before the National Lok Adalat. Both the parties are present. **Mr.S.Vadivel**, the learned counsel for the Appellant(s) and **Mr.K.Rangarajan**, the learned counsel for the respondent(s) 1 to 4 are present. After mutual discussion, negotiation, mediation and conciliation between both the parties, they arrived at a compromise to settle the matter as follows:-



The appeal is at the instance of the Insurance Company, challenging the award of Rs.11,96,550/- (Rupees Eleven Lakhs Ninety Six Thousand and Five Hundred and Fifty only) in favour of the respondents 1 to 4. The 1st respondent is the wife of the deceased and the 2nd and 3rd respondents are minor sons and the 4th respondent is the mother of the deceased.

2.Today, after deliberation and taking into account that the accident occurred due to the negligence of the deceased, which had contributed to the accident, the parties have amicably arrived at a settlement of Rs.6,50,000/- (Rupees Six Lakhs and Fifty Thousand only) in full quit, less the amount, if any, already deposited.

3.The appellant/insurance Company is directed to deposit the modified award amount of Rs.6,50,000/- (Rupees Six Lakhs and Fifty Thousand only) to the credit of M.C.O.P.No.164 of 2015, less the amount, if any, already deposited, within a period of **eight weeks**, from today.

4.On such deposit, the 1st respondent/wife of the deceased is entitled to Rs.4,00,000/- and the 2nd and 3rd respondents are entitled to Rs.1,00,000/- each. The 4th respondent, who is the mother of the deceased is entitled to Rs.50,000/-. The share of the minor respondents 2 and 3 shall be deposited in an interest bearing account in any one of the Nationalized banks. The 1st respondent is permitted to withdraw the interest amount once in every three months. The respondents 1 & 4 are permitted to withdraw their modified award, without filing any formal petition, before the competent Court. No order as to costs in this appeal, award is passed accordingly. Consequently, connected miscellaneous petition, if any, is closed.



Villupuram.

...Counsel for the Appellant

1.S.Manimala

2.Minor S.Jagadish

3.Minor S.Jagannathan

4.J.Neela

...Counsel for the respondents 1 to 4

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



WEB COPY



P.B.BALAJI
ata/sli

To: The parties/Advocate concerned
Copy to:

1. The Motor Accident Claims Tribunal/III Additional District and Sessions Court, Kallakurichi, Villupuram District.
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

CMA.No.1376 of 2022

14.12.2024