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HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI

Madurai Bench of Madras High Court, Madurai - 625023



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 Honourable Mrs Justice S.SRIMATHY

and

Members
Mr.K.R.Mathura Sekaran, District Judge (Retired) and Mr.A.Haja Mohideen, Advocate

CMA(MD) No.547 of 2021

(Appeal against the judgment and decree passed on 07/01/2019 in MCOP.318/2015 on the file of the Motor Accident Claims Tribunal/Special District Court, Madurai)

1.A.MUTHULAKSHMI

2.Minor A.Sam Amirtharaj

...Appellant/s

Versus

1.M.MASANAM

2.The Oriental Insurance Company Ltd.,
Represented by its Branch Manager,
Old Door No.145, New Door No.211,
1st Floor, Sathiyamoorthy Illam, Sekkalai Road,
Karaikudi-630 001.

3.Rajayogam

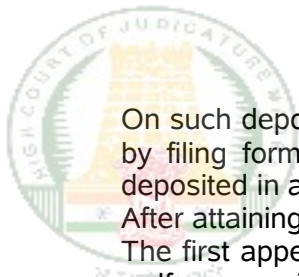
...Respondents

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellants Mr.N.Palanisamy and the counsel for the second respondent C.Jawahar Ravindran are present. After mutual discussion, negotiation, mediation and conciliation between both parties and with the assistance of the Bench, both sides consented for settlement.

AWARD

The Tribunal has awarded a sum of Rs.25,47,450/-[Rupees Twenty Five Lakhs Forty Seven Thousand Four Hundred and Fifty only], as compensation with 7.5% interest from the date of filing of the petition.

The present Civil Miscellaneous Appeal has been filed by the claimants for enhancement. The Insurance Company has already deposited the entire amount i.e., Rs.25,47,450/-[Rupees Twenty Five Lakhs Forty Seven Thousand Four Hundred and Fifty only] as per decree. After due deliberations, both the parties have agreed for a sum of Rs.10,00,000- (Rupees Ten Lakhs only) over and above the amount awarded by the Tribunal, as full quit. The second respondent/Insurance Company is directed to deposit the award amount, less the amount already deposited, within a period of three (3) months from the date of receipt of a copy of this award, failing which the second respondent shall pay the award amount together with interest at the rate of 7.5% per annum.



On such deposit being made, the appellants/claimants are at liberty to withdraw their share by filing formal application before the Tribunal. The share due to the second appellant/minor shall be deposited in an interest bearing Fixed Deposit in any one of the nationalized Bank till they attain majority. After attaining majority, he is entitled to withdraw the same. The first appellant / guardian of the minor shall withdraw the interest of the minor deposit amount for their welfare once in three months.

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1.A.MUTHULAKSHMI

2.Minor A.Sam Amirtharaj

Counsel for the Appellants

1.M.MASANAM

2.The Oriental Insurance Company Ltd.,
Represented by its Branch Manager,
Old Door No.145, New Door No.211,
1st Floor, Sathiyamoorthy Illam, Sekkalai Road,
Karaikudi-630 001.

3.Rajayogam

Counsel for the Respondents

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 Tamilnadu 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.

The Original of the award shall be place in the court record and copy of the award, kept with High Court Legal Services Committee and one copy each is furnished to both parties free of cost.

In agreement of the above, both parties and their counsel have affixed their signatures/ thumb impressions in presence of the Lok Adalat Bench admitting the terms and today conditions and accordingly, the award is passed.

JUDGE

MEMBER

<https://www.mhc.tn.gov.in/judis>



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To: The Parties/Advocate concerned

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1. Motor Accident Claims Tribunal/Special District Court, Madurai.
2. The Officer-in-Charge, High Court Legal Services Committee, Madurai.
3. The Section Officer, V.R. Section, Madurai Bench of Madras High Court, Madurai.

Typed By

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PA To The Hon'ble Judges