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HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI
Madurai Bench of Madras High Court, Madurai - 625023

Saturday the 14th day of December 2024
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided Over by
The Honourable Mr Justice P.VADAMALAI

and

Members
Mr.R.Sadayandi, District Judge (Retired), Mr.P.R.Bala Subramanian, Advocate

CMA(MD) No.1228 of 2024
(Appeal against the judgment and decree passed on 07.11.2023 in MCOP No.59 of 2022 on the file of the Motor Accident Claims Tribunal/II Additional Subordinate Judge, Nagercoil)

Rajarethinam,
S/o.Pooradam Nadar,
No.15/161, Ambalathadivilai,
Villukuri Village, Villukuri and Post,
Kalkulam Taluk, Kanyakumari District.

...Appellant/Petitioner

Versus

1.Sharbarish S.Gireesh,
S/o. Girish Kumar,
No.10-205, Manju Vilakam,
Mangalam, Ponmani Post,
Ponmaai Village, Kalkulam Taluk,
Kanyakumari District.

2.S.Sreelatha Thankachi
W/o. Girish Kumar,
No.10-205, Manju Vilakam,
Mangalam, Ponmani Post,
Ponmaai Village, Kalkulam Taluk,
Kanyakumari District.

3.National Insurance Company Limited,
Rep., by its Divisional Manager,
Divisional Office,
First Floor, Anguvilas Building,
112, North Car Street, Nagercoil,
Nagercoil Village,
Agastheeswaram Taluk,
Kanyakumari District.

...Respondents/Respondents

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

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant Mr.S.Karthick Ramkumar and the counsel for the respondent



No.3 Mr.V.Sakthivel are present. After mutual discussion, negotiation, mediation and conciliation between both parties and with the assistance of the Bench, both sides consented for settlement.

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AWARD

The claimant has filed the above appeal for enhancing the compensation awarded by the Tribunal.

2. The Tribunal has passed an award of Rs.3,26,893/- with 7.5% interest from the date of claim petition till the date of payment. It is stated that the said award amount has already been deposited by the Insurance Company before the Tribunal. The Claimant is entitled to withdraw the said amount.

3. After due deliberation and negotiation, the total award amount has been enhanced to a sum of Rs.6,75,000/- (Rupees Six Lakhs and Seventy Five Thousand only), and now the Insurance Company has to deposit the balance award amount of Rs.3,48,107/- which is rounded off to Rs.3,49,000/- (Rupees Three Lakhs and Forty Nine Thousand only) as full quit, within a period of four weeks from today. If the amount is not deposited within the aforesaid period, the balance award amount of Rs. 3,49,000/- (Rupees Three Lakhs and Forty Nine Thousand only) will carry interest at the rate of 9% per annum from the date of petition till the date of deposit. The claimant is entitled to withdraw the said amount by filing appropriate application before the Tribunal.

Mr.Rajarethinam,
S/o.Pooradam Nadar

Counsel for the Appellant

The Divisional Manager,
National Insurance Company Limited,
Nagercoil Village,
Agastheeswaram Taluk,
Kanyakumari District

Counsel for the 3rd Respondent



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

MEMBER

To: The Parties/Advocate concerned
Copy To

1. Motor Accident Claims Tribunal/II Additional Subordinate Judge, Nagercoil
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
Bhavatharani
PA To The Hon'ble Judges