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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 or 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.600 of 2021

(Appeal against the judgment and decree passed on 04/02/2021 in MCOP.No.206/2019 on the file of the Motor Accident Claims Tribunal, Additional District Court (Fast Track Court), Tenkasi)

- 1.S.Seiyad Ali Fathima
- 2.S.Hajira
- 3.S.Mohammed Rasiq
- 4.Maideen Fathimal

...Appellant/s

Versus

- 1.Abdul Ajees (Driver)
- 2.M.Abdul Ali (Owner)
- 3.The United India Insurance Company Ltd
Through its Regional Manager,
Having office at Door No.37/2, Neel Complex 2nd Floor, Mattapath Street,
Tenkasi to Tirunelveli Main Road,
Tenkasi Kaspas, Tenkasi Taluk, Tirunelveli Dt.

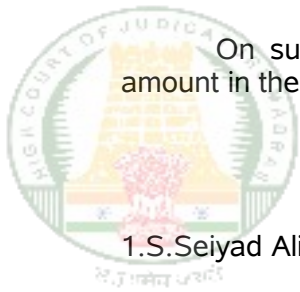
...Respondent/s

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant/s Mr.G.Mohankumar and the counsel for the third respondent Mr.A.S.Mathialagan 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.13,23,250/- [Rupees Thirteen Lakhs Twenty Three Thousand Two Hundred and Fifty Only], as compensation with 7.5% interest from the date of filing of the petition. The claimants have filed the present appeal for enhancement of compensation.

After due deliberations, both the parties have agreed for a sum of Rs.3,60,000/- (Rupees Three Lakhs and Sixty Thousand only) along with 7.5% interest from the date of filing of the claim petition, over and above the amount awarded by the Tribunal. The third respondent/Insurance Company is directed to deposit the award amount along with 7.5% interest from the date of filing of the claim petition, over and above the amount already deposited, within a period of six (6) weeks from the date of receipt of a copy of this award.



On such deposit being made, the appellants/claimants are at liberty to withdraw amount in the ratio as apportioned by the Tribunal by filing formal application before the Tribunal.



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1.S.Seiyad Ali Fathima

2.S.Hajira

3.S.Mohammed Rasiq

4.Maideen Fathimal

Counsel for the Appellant/s

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Counsel for the Respondent/s

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 placed 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.



MEMBER
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JUDGE

MEMBER

To: The Parties/Advocate concerned
Copy To

1. Motor Accident Claims Tribunal/Additional District Court (Fast Track Court), Tenkasi.
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
L.Monica
PA To The Hon'ble Judges