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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

C.M.A.(MD)No.1104 of 2024

and

C.M.P.(MD)No.11550 of 2024

(Appeal against the judgment and decree passed on 19.02.2024 in MCOP No.109 of 2021 on the file of the Motor Accident Claims Tribunal, Special Sub Court, Tiruchirappalli)

The National Insurance Company Limited,
Represented by its Branch Manager,
Branch No.II, 1st Floor, Jerome Building,
Fort Station Road, Trichy

...Appellant/2nd Respondent

Versus

1.A.Karuppannan,
S/o.Alangara Konar,
(Represented by his wife next friend Nithiyakumari),
No.22, Kamurudeen Street, Kallukuzhi,
Jamal Mohammed College,
Trichy

...1st Respondent/Petitioner

2.S.Syed Muheeb,
S/o.Syedkhaja Nazimuddin,
No.02, NMK Colony, TVS Tollgate,
Jamal Mohammed College,
Trichy

... 2nd Respondent/1st Respondent

3.C.Sakthivel,
S/o.Chinnaiyan,
No.48/5, Arulanandha Udayar Street,
Punganur Post, Srirangam Taluk,
Trichy

... 3rd Respondent/3rd Respondent

4.M/s.United India Insurance Company Limited,
Represented by its Branch Manager,
22E, EVR Road, Puthur,
Trichy

...4th Respondent/4th Respondent

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

(R3 set ex parte & R4 is not a necessary party for
adjudication : Notice dispensed with)



This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant Mr.J.S.Murali and the counsel for the respondent No.1 Mr.P.Christopher Sathiaraj 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 Insurance Company has filed the above appeal aggrieved by the compensation awarded by the Tribunal.

2. The Tribunal has passed an award of Rs.39,87,089/- with 9% interest p.a. (excluding future medical expenses Rs.1,00,000/-) from the date of claim petition i.e. 16.04.2021 till the date of payment. It is stated that 75% of the 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 reduced to a sum of Rs.32,50,000/- (Rupees Thirty Two Lakhs and Fifty Thousand only) along with the interest at the rate of 7.5% p.a. with proportionate interest and cost from the date of claim petition till the date of realization. The appellant/Insurance Company is directed to deposit the said amount, less the amount already deposited if any, within a period of six weeks from today. On such deposit being made, the claimant is entitled to withdraw the entire award amount with accrued interest and cost by filing necessary application before the Tribunal.

The Branch Manager,
The National Insurance Company Limited,
Branch No.II,
Fort Station Road, Trichy

Counsel for the Appellant



A.Karuppannan,
S/o.Alangara Konar
(Represented by his wife next friend Nithiyakumari)

Counsel for the 1st Respondent

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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. The Special Sub Judge, Motor Accident Claims Tribunal, Tiruchirappalli.
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