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HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI

Madurai Bench of Madras High Court, Madurai - 625023

Saturday the 8th day of June 2024

NATIONAL LOK ADALAT AWARD

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

Presided Over by

The Honourable Mr. Justice G. ARUL MURUGAN

and

Members

Mr. R. Nambi, District Judge (Retired),

Mr. S. Sureshkumar Isaac Paul, Advocate

CMA(MD) No.189 of 2014

(Appeal against the judgment and decree passed on 14/06/2012 in MCOP.207/2010 on the file of the DISTRICT JUDGE, KANYAKUMARI DISTRICT AT NAGERCOIL.)

1.T.THANGABAI
W/O. C.VELAPPAN
2.C.VELAPPAN,
S/O. CHELLAIAH NADAR
3.V.SELVAM,
S/O. VELAPPAN

...Appellants

Versus

1.R.WILLBERT MOHAN
S/O. RAMASAMY NADAR, PILLAIYARPURAM, M.K.POTTAL, AGASTEESWARAM
TALUK, KANYAKUMARI DISTRICT.

2.ANBALAGAN
S/O. NOT KNOWN, 9A3, PERIYAVILAI, NAGERCOIL KANYAKUMARI DISTRICT.

3.SRI RAM GENERAL INSURANCE
COMPANY LIMITED, E8, EPIP, R11 CO, SITAPURA, JAIPUR, RAJASTHAN - 302 022,
INDIA.

...Respondents

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellants Ms.A.Elis Chitra Devi and Mr.V,Sakthivel, counsel for the third respondent 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.5,75,000/- with interest at 7.5% per annum. Seeking enhancement of the award amount, the claimants are before this Court with the present Civil Miscellaneous Appeal.

2. Both the parties and their respective counsel are present and they arrived at an amicable settlement for a sum of Rs.5,00,000/- (Rupees Five Lakh only) in full quit, over and above the amount already awarded by the Tribunal, viz., (Rs.5,75,000/- + Rs.5,00,000/-)

3. In the above agreed amount, the first appellant, viz., T.Thangabai, who is the mother of the deceased, is entitled for a sum of Rs.2,00,000/- (Rupees Two Lakh only), the second appellant, viz., C.Velappan, who is the father of the deceased, is entitled for a sum of Rs. 2,00,000/- (Rupees Two Lakh only) and the third appellant, viz., V.Selvam, who is the brother of the deceased, is entitled for a sum of Rs.1,00,000/- (Rupees One Lakh only). The third respondent is directed to deposit the said amount before the Tribunal within a period of four weeks from the date of receipt of a copy of this order.

4. The claimants are permitted to withdraw the aforesaid amount, without filing any formal permission petition before the Tribunal.

T.THANGABAI
W/O. C.VELAPPAN,

C.VELAPPAN,
S/O. CHELLAIAH NADAR

V.SELVAM,
S/O. VELAPPAN

Counsel for the Appellants



SRI RAM GENERAL INSURANCE

COMPANY LIMITED, E8, EPIP, R11 CO, SITAPURA, JAIPUR, RAJASTHAN - 302 022,
INDIA.

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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

MEMBER

To: The Parties/Advocate concerned

Copy To

1. DISTRICT JUDGE, KANYAKUMARI AT 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

SAKTHI GOMATHI.T

PA To The Hon'ble Judges