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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 or Legal Services Authorities Act, 1987)

Presided Over by
The Honourable Mr. Justice K. RAJASEKAR
and
Members
Mr. P. Mohandoss, District Judge (Retired) , Mrs. M. Krishnaveni, Advocate

CMA(MD) No.1094 of 2016
and C.M.P.(MD) No.9787 of 2016

(Appeal against the judgment and decree passed on 25/07/2014 in MCOP.78/2011 on the file of the SUB JUDGE, DEVAKOTTAI)

THE BRANCH MANAGER,
RELIANCE GENERAL INSURANCE CO.LTD.,
PALMOUR LORRY HOUSE, NO.628, ANNA SALAI,
TEYNAMPET, CHENNAI-600 018.

...Appellant

Versus

1. SELVI @ PANDISELVI,
2. MINOR.RITHIKA
3. MINOR.GOKULAKANNAN
(R2 & R3 are rep. By their mother R1)
4. MEENAKSHI
5. NAGARAJ
6. DEIVASIKAMANI ... **Respondents**

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant Mr.K.Gokul and the counsel for the respondents 1 to 4 Mr. A.Robinson 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

This Appeal is filed by the appellant/ Insurance Company as against the judgment and decree passed on 25.07.2014 in MCOP.78 of 2011 on the file of the Sub Judge, Devakottai. The Tribunal has awarded a sum of Rs.10,10,000/- along with interest at the rate of 7.5% per annum.

After due deliberations, both the parties have entered into compromise and agreed to settle for a sum of Rs.17,27,797/- (Rupees Seventeen Lakhs Twenty Seven Thousand Seven Hundred and Ninety Seven only) as full quit. The appellant / Insurance Company has already deposited a sum of Rs.7,51,154/-. The appellant / Insurance Company is directed to deposit the award amount, less the amount already deposited, within a period of six (6) weeks from the date of receipt of a copy of this award, failing which the appellant / Insurance Company shall pay the award amount together with interest at the rate of 7.5% per annum.



The fourth respondent, Meenakshi, W/o.Arumugam is entitled for a sum of Rs.1,50,000/- (One Lakh Fifty Thousand only), the second and third respondents / minors are entitled for Rs. 4,00,000/- (Rupees Four Lakhs only) each and first respondent is entitled for a sum of Rs.11,777,97/-.

On deposit of the award amount, the respondents 1 and 4/major claimants are at liberty to withdraw their share amount by filing a formal application before the Tribunal. The share due to the respondents 2 & 3/minors shall be deposited in an interest bearing Fixed Deposit in any one of the nationalized Bank till they attain majority and if attained majority, they are entitled to withdraw their share. The first respondent / guardian of the minors shall withdraw the interest of the minors share amount for their welfare once in three months. The appellant / Insurance Company is entitled to withdraw the excess award amount already deposited. Consequently, connected miscellaneous petition stands closed.

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.

THE BRANCH MANAGER,
RELIANCE GENERAL INSURANCE CO.LTD., PALMOUR LORRY HOUSE, NO.628, ANNA SALAI,
TEYNAMPET, CHENNAI-600 018.

Counsel for the Appellant/s

1. SELVI @ PANDISELVI
2. MINOR.RITHIKA
3. MINOR.GOKULAKANNAN
(R2 & R3 are rep. By their mother R1)
4. MEENAKSHI
- 5.NAGARAJ
6. DEIVASIKAMANI

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 1 of the Tamil Nadu Court Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as amended 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.

JUDGE

MEMBER

MEMBER

To: The Parties/Advocate concerned
Copy To

1. SUB JUDGE, DEVAKOTTAI.
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
SABARIMALA
PA To The Hon'ble Judges