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HIGH COURT LEGAL SERVICES COMMITTE, 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 or Legal Services Authorities Act, 1987)

Presided Over by

The Honourable Ms.Justice R. POORNIMA

and

Members

V.R.Poobalan, District Judge(Retired) Mr.R.Venkatesan, Advocate

CMA(MD) No.1453 of **2024**

(Appeal against the judgment and decree passed on 25/04/2024 in MCOP.386/2018 on the file of the SUB JUDGE, LALGUDI)

New India Assurance Company Limited,
Divisional Office,
2nd Floor,
Jerome Building,
Fort Station Road,
Trichy. ...**Appellant**

Versus

1.Sivakumar
S/o.Ayyanar,
Door No.11-39-A,
Arisana Street,
Mummudi Chozhamangalam,
Lalgudi Taluk, Trichy District - 621 601.

2.M.Arun
S/o.Moorthy,
No.255, Asari Street,
Keelavalavanthacheri,
Needamangalam Taluk,
Thiruvarur District. ...**Respondents**

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant Mr.M.S.Suresh Kumar and the counsel for the first respondent Mr.R.Saravana Kumar 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 Civil Miscellaneous Appeal is filed as against the Judgment passed in MCOP No.386 of 2018, dated 25.04.2024 passed by the Motor Accidents Claim Tribunal (Sub Court), Lalgudi, directing the Insurance Company to deposit a sum of Rs.16,05,175/- with 7.5% interest to the credit of Sub Court, MACT, Lalgudi along with the Advocate fee and recover the same from the second respondent herein (M.Arun).

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2.Now, both the parties have arrived at a settlement of Rs.16,79,861/- as full quit (16,54,861/- +Rs.25,000/- which is already deposited by the appellant Insurance Company) and the same is recorded. The claimant is at liberty to withdraw the amount, less the amount, if any, which has already been withdrawn by the claimant. The appellant Insurance Company is directed to deposit the said amount within a period of one month from today, less the amount already deposited, if any. The appellant Insurance Company is at liberty to recover the amount from the second respondent herein. The claimant is granted liberty to file appropriate application before the Tribunal for refund of Court fee.

New India Assurance Company Limited,
Divisional Office,
2nd Floor,Jerome Building,
Fort Station Road, Trichy. **Counsel for the Appellant**

Sivakumar

Counsel for the first 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. The Sub Court, Motor Accidents Claims Tribunal, Lalgudi
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.

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Typed By
V.RENUKA
PA To The Hon'ble Judges