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W.P.(MD)No.3435 of 2019

HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI
Madurai Bench of Madras High Court, Madurai - 625023

Saturday the 14th day of September 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.CHOCKALINGAM (RETD.)
and
Members
Mr.I.PANDURANGAN DISTRICT JUDGE (RETD.)
MR. A.HAJA MOHIDEEN, ADVOCATE

CMA(MD) No.1128 of 2022

(Appeal against the judgment and decree passed on 07.04.2022 in MCOP.373/2017
on the file of the MOTOR VEHICLES ACCIDENT CLAIMS TRIBUNAL, PRINCIPAL
SUBORDINATE COURT, TENKASI)

The United India Insurance Company Ltd.,
Through its Branch Manager,
Door No.78, ESP Complex,
Chockalingapuram, Mukkoodal Village,
Ambasamuthiram Taluk,
Tirunelveli District.

...Appellant/s

Versus

1.F.Jackmerin, S/o.Francis,
Door No.1/46, Pillariyar Kovil Street,
Kulaiyaneri Village,
Veerakeralampudur Taluk,
Tirunelveli District.

2.Kannan,
S/o.Gurusamy,
Door No.71, Ramanathapuram,
Sankarankovil Taluk,
Tirunelveli District.

3.Selvaraj,
S/o.Appadurai,
Door No.4/10B, Keezhakalanganal Village,
V.K.Pudur Taluk,
Tirunelveli District.

...Respondent/s

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant/s Mr.J.S.Murali and the counsel for the respondents Mr.P.Balasubramanian are present. After mutual discussion, negotiation, mediation and conciliation between both parties and with the assistance of the Bench, both sides consented for settlement.



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Both the parties present along with their respective counsels. After negotiation, they have agreed for settlement of Rs.8,00,000/- (Rupees eight lakhs only). Hence, the decretal amount awarded in MCOP.373/2017, dated 07.04.2022 on the file of the Motor Vehicles Accident Claims Tribunal, Principal Subordinate Court, Tenkasi is reduced to Rs.8,00,000/- (Rupees eight lakhs only).

2. The appellant /Insurance Company is directed to deposit the amount as per the modified decree, less the amount already deposited within a period of four weeks from today. On such deposit, the first respondent is at liberty to withdraw the entire amount as per the apportionment of the Tribunal. Except the above modification, there is no other change in the decree in MCOP.373/2017, dated 07.04.2022 on the file of the Motor Vehicles Accident Claims Tribunal, Principal Subordinate Court, Tenkasi.

The United India Insurance Company Ltd.,
Through its Branch Manager,
Door No.78, ESP Complex,
Chockalingapuram, Mukkoodal Village,
Ambasamuthiram Taluk,
Tirunelveli District.

Counsel for the Appellant

Versus

- 1.F.Jackmerin, S/o.Francis
- 2.Kannan, S/o.Gurusamy
- 3.Selvaraj, S/o.Appadurai

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 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.



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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. Motor Vehicles Accident Claims Tribunal, Principal Subordinate 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

MR/SM/TA

PAs To The Hon'ble Judges