



HIGH COURT LEGAL SERVICES COMMITTEE, MADURAI

Madurai Bench of Madras High Court, Madurai - 625023



Saturday the 9th day of March 2024
NATIONAL LOK ADALAT AWARD
(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided Over by
The Honourable Mrs Justice S.SRIMATHY
and
Members

Mr.K.R.Mathura Sekaran, District Judge(Retired) , Mr.A.Haja Mohideen Advocate

CMA(MD) No.87 of 2020

(Appeal against the judgment and decree passed on in MCOP.125/2015 on the file of the CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI)

M/S.UNITED INDIA INSURANCE CO.LTD.,
Through its Branch Manager,
Kizhakkedath Building Main Road,
Pathanamthitta, Kerala- 645.

...Appellant

Versus

1.Minor.G.Nambinathan,
Represented by his guardian
and father M.Gopalakrishnan

2.M. Abdul Rahim,
(Notice to 2nd Respondent is given up)

...Respondents

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant Mr.B.Rajesh Saravanan and the counsel for the 1st respondent Mr.M.Palaniselvam 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 Rs.35,57,007/- with 7.5% interest against which the Insurance Company has preferred this appeal.

2.Both sides present. As per the settlement arrived in the Lok Adalat, both parties have agreed to settle for a sum of Rs.22,00,000/- (Rupees Twenty Two Lakhs Only) with interest at the rate of 7.5% p.a from the date of petition till realization. The appellant/Insurance company is directed to deposit the award amount with interest after deducting the amount already deposited if any within a period of eight weeks. Since the claimant is minor, 50% of the award amount shall be withdrawn by the father/ guardian of the minor claimant immediately and 50% of the award amount shall be deposited in any one of the nationalised banks in an interest bearing deposit till he attains majority. The father/ guardian of the claimant is permitted to withdraw the interest once in three months. The Insurance Company is permitted to withdraw the excess amount, if any, by filing appropriate application.

M/S.UNITED INDIA INSURANCE CO.LTD.,
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Counsel for the Appellant

MINOR.G.NAMBINATHAN

Represented by his guardian and father M.Gopalakrishnan

M. Abdul Rahim

WEB COPY

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. CHIEF JUDICIAL MAGISTRATE, THOOTHUKUDI.
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
T. M..GAYATRI DEVI
PA To The Hon'ble Judges