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HIGH COURT LEGAL SERVICES COMMITTEE, 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 of Legal Services Authorities Act, 1987)

Presided Over by
The Honourable Mrs Justice R. KALAIMATHI

and

Members
P.Mohandoss, District Judge(Retired),
K.Samidurai, Advocate

CMA(MD) No.318 of 2024

(Appeal against the judgment and decree passed on 13/06/2023 in MCOP.69/2016 on the file of the Motor Accidents Claims Tribunal, Special Court for E.C. & NDPS Act cases, Pudukkottai.)

The Branch Manager
United India Insurance Company Ltd., Pudukkottai.

...Appellant

Versus

P.Rasumuthu (died)

1. Ponnazhagi
W/o.Rasumuthu.

2.Thamaraiselvi
W/o.Late. Karuppaiah.

3.Yashvitha
D/o.Late. Karuppaiah
(Minor Rep.by mother and guardian Thamaraiselvi.)

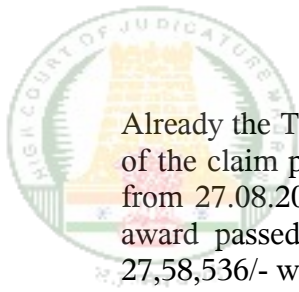
4.M.Sakthivel
S/o.Rasumuthu.

5.N.Salaimalai
S/o.Rasumuthu.

Ganesan
S/o.Subbaiah.

...Respondents

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant Mr.M.Arjun Varman and the counsel for the second respondent Mr.D.Ramesh 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



Already the Tribunal has passed an award of Rs.38,55,782/- with 7.5% interest from the date of the claim petition till the date of realization (excluding the period, which is dismissed for default, from 27.08.2019 to 04.01.2021). The Insurance Company has filed the above appeal challenging the award passed by the Tribunal. Now, the parties have arrived at a settlement for a sum of Rs. 27,58,536/- with 7.5% p.a. interest. The same is recorded.

The appellant/Insurance Company is directed to deposit the amount of Rs.27,58,536/- with interest at the rate of 7.5% p.m. from the date of filing of the claim petition till the date of realization (excluding the period, which is dismissed for default, from 27.08.2019 to 04.01.2021) to the credit of M.C.O.P.No.69 of 2016 on the file of the Motor Accidents Claims Tribunal, Special Court for E.C. & NDPS Act cases, Pudukottai, within a period of six (6) weeks from the date of receipt of a copy of this order, less the amount, if any already deposited. All the other aspects of the Award in M.C.O.P.No.69 of 2006 stands unaltered.

The claimants/respondents 1, 2, 4 & 5 are permitted to withdraw their share amount, as per the apportionment fixed by the Tribunal, less the amount, if any already withdrawn, by filing appropriate application before the Tribunal.

The share of the minor/third respondent is directed to be deposited in an interest bearing fixed deposit, initially for a period of three years, renewable till the minor attains majority. The second respondent/mother of the minor child is entitled to withdraw the interest once in six months till she attains majority.

The Branch Manager
United India Insurance Company Ltd., Pudukkottai.

Counsel for the Appellant

1. Ponnazhagi
W/o.Rasumuthu.

Thamaraiselvi
W/o.Late. Karuppaiah.

Yashvitha
D/o.Late. Karuppaiah
(Minor Rep.by mother and guardian Thamaraiselvi.)



Ganesan
S/o.Subbaiah.

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 placed in the court record and copy of the award, be 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.

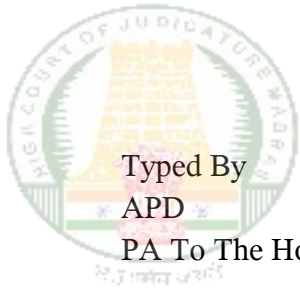
JUDGE

MEMBER

MEMBER

To: The Parties/Advocate concerned
Copy To

1. ADDITIONAL DISTRICT JUDGE, PUDUKKOTTAL..
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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APD

PA To The Hon'ble Judges

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