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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 of Legal Services Authorities Act, 1987)

Presided Over by

The Honourable Mr. Justice G. ARUL MURUGAN

and

Members

Mr. R. Nambi, District Judge (Retired),

Mr. S. Sureshkumar Isaac Paul, Advocate

CMA(MD) No. 1234 of 2022

(Appeal against the judgment and decree passed on 15/04/2015 in MCOP.60/2012 on the file of the SUB JUDGE, SANKARANKOIL)

The Branch Manager,

Royal Sundaram Alliance Insurance Co. Ltd, Nos. 45 and 46, Whites

Road, Roypettah, Chennai-600 014.

...Appellant

Versus

1. Krishnammal,

W/o. Krishnasamy, Mala Street, Perungottur Village, Sankarankovil Taluk, Tirunelveli District.

2. Isakkiammal,

W/o. Late. Murugan, No. 1/69, Mala Street, Perungottur Village, Sankarankovil Taluk, Tirunelveli District.

3. Minor. Krishnaveni,

D/o. Late. Murugan, Mala Street, No. 1/69, Perungottur Village, Sankarankovil Taluk, Tirunelveli District. (Minor respondents 3 and 4 are rep. by Their mother and next friend 2nd Respondent herein)

4. Minor. Gokul Murugan,

S/o. Late. Murugan, Mala Street, No. 1/69, Perungottur Village, Sankarankovil Taluk, Tirunelveli District. (Minor respondents 3 and 4 are rep. by Their mother and next friend 2nd Respondent herein)

5. Ravi,

S/o. Ramasamy Chettiar, No. 63/30, Thambu Lane, Royapuram, Chennai-600 013.

6. Radhakrishnan,

S/o. Sundararaj, No. 1/197B, O. Mettupatti, Sathur Taluk, Virudhunagar District.

...Respondents

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the appellant Mr. S. Srinivasa Raghavan and the counsel for the respondent Nos. 1 to 4, Mr. T. Arivu 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

As against the award for a sum of Rs.14,18,000/- awarded by the Tribunal, the appellant / Insurance Company has preferred the present Appeal.

2. The respondent Nos.1 to 4 and the appellants along with their respective counsel are present before this Court. They have submitted that they arrived at an amicable settlement for a sum of Rs.12,50,000/- (Rupees Twelve Lakh and Fifty Thousand only) along with interest and costs as awarded by the Tribunal. The Insurance Company shall deposit the balance amount after deducting the amount already deposited within a period of six weeks from the date of receipt of a copy of this order. The respondent Nos.3 and 4, who were minors at the time of filing of this appeal, have filed their Aadhars, which show that the third and fourth respondents were born on 31.10.2001 and 28.04.2004 respectively, has since become major the same is recorded. The amount shall be apportioned in the ratio of 20% to the first respondent being the mother, 20% to the second respondent being the wife and 30% to the respondent Nos.3 and 4 each being the son and the daughter of the deceased. The Civil Miscellaneous Appeal is disposed of accordingly. The claimants are permitted to withdraw the aforesaid amount, without filing any formal permission petition before the Tribunal.

The Branch Manager,
Royal Sundaram Alliance Insurance Co.Ltd,Nos.45 and 46, Whites
Road,Roypettah,Chennai-600 014.

Counsel for the Appellant

Krishnammal,
W/o.Krishnasamy

Isakkiammal,
W/o.Late.Murugan

Krishnaveni,
D/o.Late.Murugan,



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Gokul Murugan,
S/o.Late.Murugan

Ravi,
S/o.Ramasamy Chettiar

Radhakrishnan,
S/o.Sundararaj

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. SUB JUDGE,SANKARANKOIL.
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

SAKTHI GOMATHI.T

PA To The Hon'ble Judges