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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 08th day of March, 2025

NATIONAL LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr.JUSTICE M.JEYAPAUL (Retd.)

and

Members

1.Mr.M.Sambasivam, District Judge

2.Mr.S.Krishna Prasad, Advocate

C.M.A.No.1060 of 2022

(Against the award and decree passed on 13.02.2019 made in M.C.O.P.No**.282 of 2015** on the file of the **Motor Accident Claims Tribunal, Special Subordinate Judge, Coimbatore**.

M/s.IIFCO-TOKIO General
Insurance Company LImited,
Tulsi Chambers' 3rd Floor,
No.195, T.V.Swamy Road (West),
R.S.Puram,
Coimbatore - 641 002. ... Appellant

Vs.

1.M.Dhorves Mohadeen

2.M.Raja

3.Radha .. Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the appellant, **Ms.V.Vikma for J.Michael Visuvasam** and the learned counsel for the first respondent **Mr.P.Sankar Anandham** is present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

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TERMS OF SETTLEMENT

The appellant and the first respondent and their respective counsels are present. The above appeal has been preferred by the appellant/Insurance Company Limited., challenging the quantum of amount awarded by the Tribunal.

2. The first respondent Mr.M.Dhorves Mohadeen filed a Claim Petition before the Trial Court, claiming compensation for the injuries he sustained in the accident. The Trial Court awarded a sum of Rs.29,12,828/- with interest. The appellant aggrieved by the above award passed by the Tribunal, preferred an appeal before the High Court.

3. Both the parties having initiated a negotiation, successfully arrived at a Settlement of all the issues arisen in this case. The amount awarded was a sum of Rs.29,12,828/- with interest. The appellant deposited a sum of Rs.20,97,148/-. The appellant is now agreed to pay a sum of Rs.17,50,000/- in full quit in addition to a sum of Rs.20,97,148/-, which was already deposited on the basis of the Award passed by the Trial Court.

4. The appellant has agreed to pay the above amount of Rs.17,50,000/- in full quit in addition to a sum of Rs.20,97,148/- already deposited, within a period of six (6) weeks and the first respondent has agreed to receive the said amount within the above period.

5. Both the parties have made a formal request before this Court to pass an Award in terms of the above settlement.

6. As a result, award has been passed hereby in terms of the settlement arrived at between the parties, directing the appellant to pay a sum of Rs.17,50,000/- (Rupees Seventeen Lakhs and Fifty Thousand only) in full quit within a period of six weeks in addition to a sum of Rs.20,97,148/-, which was already deposited before the trial Court in terms of the Award passed by the trial Court.

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7. The first respondent is permitted to withdraw the entire award amount. The Tribunal is directed to follow the usual mode of payment on proper identification of the parties, concerned, in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

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Insurance Company LImited,
Tulsi Chambers' 3rd Floor,
No.195, T.V.Swamy Road (West),
R.S.Puram,
Coimbatore - 641 002.

Counsel for the Appellant

1.M.Dhorves Mohadeen

Counsel for the Respondent

This National Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the parties in the manner provided under 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.

Judge

Member Member

To

The parties/Advocate concerned

Copy to

1.The Motor Accident Claims Tribunal, Special Subordinate Judge, Coimbatore.
2.The Secretary, High Court Legal Services Committee, Chennai.
3.The Section Officer, V.R.Section, High Court, Madras.
4.The Section Officer, Lok Adalat Section, High Court, Madras.+2 copies

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M.JEYAPAUL (Retd.)

dpa/kak

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