



WEB COPY



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services
Committee

Saturday the 8th day of March 2025
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:

- 1.Mr.Justin David
- 2.Ms.D.Latha

C.M.A. Nos. 2728, 2705 & 2727 of 2024

(Civil Miscellaneous Appeals are filed against the judgment and decree dated 31.08.2016 made in M.A.C.T.O.P. Nos. 4694, 4695 & 4696 of 2013 respectively on the file of the Motor Accident Claims Tribunal, V Court of Small Causes, Chennai.)

Kalaiselvi

... Appellant
in C.M.A. No. 2728/2024

Elumalai

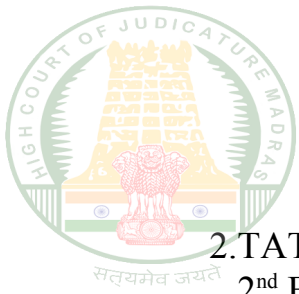
... Appellant
in C.M.A. No. 2727/2024

E. Naresh (Minor)
rep., by his mother Kalaiselvi

... Appellant
in C.M.A. No. 2705/2024

Vs.

1.Leena Shukla



2. TATA AIG General Insurance Company Ltd.,
2nd Floor, Samson Towers,
Pantheon Road,
Egmore, Chennai – 600 008.

... Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mrs. A, Subadra for M/S.M. Malar and the learned counsel for the second respondent, Mr. Vinoth for Ms. Santhana Lakshmi are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:-

TERMS OF SETTLEMENT

Both the parties and their respective counsel are present.

2. The Tribunal has awarded a sum of Rs.1,09,000/- to E.Kalaiselvi in MCOP.No.4694 of 2013 with interest at the rate of 7.5% per annum from the date of petition till the date of realization.; The Tribunal has awarded a sum of Rs.1,29,000/- to S.Elumalai in MCOP.No.4695 of 2013 with interest at the rate of 7.5% per annum from the date of petition till the date of realization. The Tribunal has awarded a sum of Rs.97,000/- to E.Naresh in MCOP.No.4696 of 2013 with



interest at the rate of 7.5% per annum from the date of petition till the date of realization. Aggrieved by the said award, the appellants have preferred the present appeal.

3. After due deliberation and consultation, both the parties agreed that the second respondent/TATA AIG General Insurance Company Ltd., has agreed to pay a sum of Rs.75,000/- each to the appellants (Elumalai & Naresh) and Rs.50,000/- to the (Kalaiselvi), over and above the Tribunal's award amount as full quit. The TATA AIG General Insurance Company Ltd., is directed to deposit the said amount of Rs.75,000/- each to the appellants (S.Elumalai and E.Naresh) and Rs.50,000/- to the appellant (Kalaiselvi), within a period of four weeks, from the date of receipt of a copy of this order, to the credit of M.C.O.P. Nos. 4695, 4696 and 4694 of 2013 respectively, on the file of the Motor Accident Claims Tribunal, V Court of Small Causes Court, Chennai. On such deposit, the claimants (S.Elumalai and Kalaiselvi) are permitted to withdraw the said amount of Rs.75,000/- & Rs.50,000/- respectively; since the claimant (E.Naresh) is a minor, his share of Rs.75,000/- has to be deposited in any of the Nationalised Bank till he attains majority and the interest on his



share shall be withdrawn by the mother of the minor Naresh once in six months. On such deposit being made, the appellants / claimants are permitted to withdraw the amount on filing proper applications.

4. The Tribunal is directed to follow the usual mode of payment on proper identification of the party concerned in accordance with the terms of the award, without insisting on any formal permission petition. These Civil Miscellaneous Appeals are disposed of accordingly.

Kalaiselvi

S. Elumalai

E. Naresh

Counsel for Appellants

TATA AIG General Insurance Co. Ltd.,
2nd Floor, Samson Towers,
No.403 L, Pantheon Road,
Egmore, Chennai – 600 008.

Counsel for Second Respondent

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



WEB COPY The full Court fee paid shall be refunded to the appellants in the manner provided under Section 69-A of the Tamil Nadu 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.

Judge

Member

Member

To: The parties/Advocate concerned
Copy to:

- 1.Motor Accident Claims Tribunal, V Court of Small Causes, Chennai.
 - 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
at/mfa



WEB COPY



6

G.CHOCKALINGAM, J. (RETD.)

at/mfa

C.M.A. Nos. 2728, 2705 & 2727 of 2024

08.03.2025