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HIGH COURT LEGAL SERVICES COMMITTE, MADURAI

Madurai Bench of Madras High Court, Madurai - 625023

Saturday the 8th day of March 2025

NATIONAL LOK ADALAT AWARD

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

Presided Over by

The Honourable Mr Justice P.B. BALAJI

and

Members

Mr.John R.D.Santhosam, District Judge(Retired) Mr,A.Haja Mohideen , Advocate

CMA(MD) No.382 of **2024**

(Appeal against the judgment and decree passed on 14/08/2023 in MCOP.110/2014 on the file of the SUB JUDGE, KUZHITHURAI.)

United India Insurance Company Ltd
Rep. by its Branch Manager, Marthandam Branch, 3/33B, PPK Building, Main Road, Marthandam Post, Nalloor Post, Vilavancode Taluk, Kanyakumari District.

...**Appellant/s**

Versus

Sree Latha
W/o. Asokan,
A.S.Akshaya (Minor)
D/o. Asokan,
Panchaly
A.S.Athithya (Minor)
S/o. Asokan
(Minor Respondents 2 and 3 Represented by natural Guardian Respondent No.1)
Panchaly
W/o. Late. Nagappan,

All are residing at Chekkadivilai, Amsi, Thengapattanam Post, Painkulam Village, Vilavancode Taluk, Kanyakumari District.

Rajesh (Driver)
S/o. Selvaraj, Oruvilai, Amsi, Thengapattanam Post, Painkulam Village, Vilavancode Taluk, Kanyakumari District.
Mahesh (Owner)
S/o. Thulasi, No.13/112, Kottapallivilai, Parthibapuram, Puthukadai Post, Vilavancode Taluk, Kanyakumari District.

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...**Respondent/s**

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 respondents M/s.R.Brindha 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 Insurance Company represented by Mr.R.Paneer Selvam along with the respondents' counsel and also the wife of the deceased / first respondent are present before this Court.

The appellant has preferred the appeal challenging the award of the Tribunal in M.C.O.P.No.110 of 2014 .

After holding discussion between the parties, the compensation of award under the head of loss of income is mutually agreed to be fixed at Rs.23,62,584/- (Rupees Twenty Three Lakhs Sixty Two Thousand Five Hundred and Eighty Four only) instead of Rs.31,50,000/- made in M.C.O.P.No.110 of 2024. In all other aspects, the award of the Tribunal is confirmed.

The modified award amount shall be deposited within a period of eight weeks from the date of receipt of a copy of this order by deducting the amount already deposited.

United India Insurance Company Ltd
Rep. by its Branch Manager, Marthandam Branch, 3/33B, PPK Building, Main Road, Marthandam Post, Nalloor Post, Vilavancode Taluk, Kanyakumari District.

Counsel for the Appellant

Sree Latha for herself and on behalf of the minors.

Counsel for the Respondent

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.

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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, KUZHITHURAI..
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
LS
PA To The Hon'ble Judges

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