



WEB COPY

HIGH COURT LEGAL SERVICES COMMITTEE, 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 of 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.154 of 2019 & CROS.OBJ(MD) No.4 of 2019

(Appeal against the judgment and decree passed on 03/04/2018 in MCOP.1621/2014 on the file of the CHIEF JUDICIAL MAGISTRATE, MADURAI)

CMA(MD) No.154 of 2019

DIVISIONAL MANAGER,
M/S.UNITED INDIA INSURANCE COMPANY LTD,
SUNDARAM MASILA MALIGAI, T.S.NO.5476-79, OLD THIRUMAYAM ROAD,
PUDHUKOTTAI 622 001.

...Appellant/s

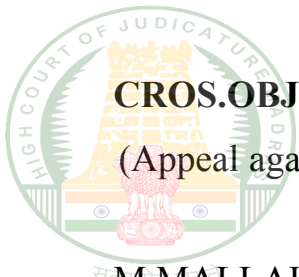
Versus

1.M.MALLAIAH,
S/O.MARIAPPAN,
D.NO.2, CHOKKA KOTHAN ST,
MELA MASI ST, MADURAI TOWN.

2. R.THIRUNAVUKKARASU,
S/O.RAJAN, D.NO.124, MAIN ROAD, KALLUR,
THIRUMAYAM TK, PUDUKKOTTAI DT.

...Respondent/s

This case came up for settlement before the Lok Adalat. Both the parties present. The learned counsel for the appellant, Mr.C.Jawahar Ravindran and Mr.D.Balasubramanian, learned counsel for the first respondent are present. After mutual discussion, negotiation, mediation and conciliation between both parties and with the assistance of the Bench, both sides consented for settlement.



CROS.OBJ(MD) No.4 of 2019

(Appeal against the judgment and decree passed on in MCOP.1621/2014 on the file of the
CHIEF JUDICIAL MAGISTRATE, MADURAI)

M.MALLAIAH,
S/O.MARIAPPAN, DOOR NO.2, CHOKKA KOTHAN STREET,
MELA MASI STREET, MADURAI TOWN. ...**Appellant/s**

Versus

DIVISIONAL MANAGER
M/S.UNITED INDIA INS. CO.LTD, SUNDARAM MASILA MALIGAI, T.S.NO.
5476-79, OLD THIRUMAYAM ROAD, PUDUKKOTTAI-622 001.

R.THIRUNAVUKKARASU
S/O.RAJA, DOOR NO.124, MAIN ROAD,
KALLUR, THIRUMAYAM TK, PUDUKKOTTAI DT. ...**Respondent/s**

This case came up for settlement before the Lok Adalat. Both the parties present. The counsel for the cross objector / claimant, Mr.D.Balasubramanian and the learned counsel for the first respondent/ Insurance Company, Mr.C.Jawahar Ravindran 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

CMA(MD)No.154 of 2019 and Cross Objection (MD)No.4 of 2019 are taken up together.

2. The Insurance Company is the appellant, challenging the award of the Tribunal in M.C.O.P.No.1621 of 2014. The claimant has preferred cross appeal in Cross Objection (MD)No.4 of 2019, seeking further enhancement. After mutual discussions and deliberations, the parties have arrived at a sum of Rs.18,33,450/- together with interest at the rate of 7.5% per annum. The said amount has been arrived, after the Doctor, viz., Dr.P.V.Thirumalai Murugan, M.S.Ortho, D.N.B.Ortho, personally assessed the claimant's injuries and disabilities suffered by the claimant.



3. After examining the claimant, the Doctor, viz., Dr.P.V.Thirumalai Murugan, certifies that the disability is 60% and it is also a functional disability, since the claimant was a Driver by occupation. The Doctor's certificate is also annexed to this award and shall form part of the award.

4. In view of the above, the appellant Insurance Company is directed to deposit a sum of Rs.18,33,450/- together with interest at the rate of 7.5% per annum from the date of filing the M.C.O.P, till the date of deposit, within a period of eight weeks from today. In view of the above terms, the Civil Miscellaneous Appeal as well as the Cross Objection are disposed of. On such deposit being made by the Insurance Company, the claimant is permitted to withdraw the entire award amount, without filing formal petition before the Tribunal, less the amount, if any, which has already been withdrawn by him.

DIVISIONAL MANAGER,
M/S.UNITED INDIA INSURANCE COMPANY LTD,
SUNDARAM MASILA MALIGAI,
T.S.NO.5476-79, OLD THIRUMAYAM ROAD,
PUDHUKOTTAI 622 001.

Counsel for the Appellant

M.MALLAIAH,
S/O.MARIAPPAN, D.NO.2, CHOKKA KOTHAN ST,
MELA MASI ST, MADURAI TOWN.

R.THIRUNAVUKKARASU,
S/O.RAJAN, D.NO.124, MAIN ROAD,
KALLUR, THIRUMAYAM TK, PUDUKKOTTAI DT.

Counsel for the Respondent/s



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

The full Court fee paid shall be refunded to the appellant in CMA as well as the claimant in Cross Objection 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. CHIEF JUDICIAL MAGISTRATE, MADURAI.
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/AM/GVN
PA To The Hon'ble Judges