



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CMA No. 554 of 2024

1. Papathi
2. Palaniammal
3. Parameswari
4. Sampooram
5. Rengaraj

..Appellant(s)

Vs

1. K.Umamaaheswari
2. National Insurance Co.Ltd.,
Branch Office, Rep.by its Manager,
No.7/1, West Car Street, Sivakasi 626123.

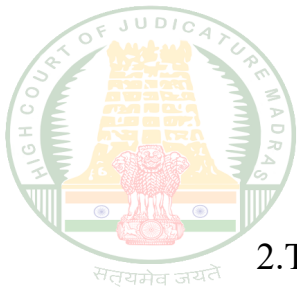
..Respondent(s)

Prayer:- Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, prayed to allow the CMA and enhancement the award amount passed by the Motor Accidents Claims Tribunal/Principal District Judge, Perambalur by its Judgement dated 28.11.2023 and made in M.C.O.P.No.152 of 2021 and thus render justice.

For Appellant(s):	M/s.L. Meena (No Appearance)
For Respondent(s):	M/s.N.B.Sureka, for R2
	R1- Dispensed with

JUDGMENT

This appeal has been filed against the award passed by the Motor Accidents Claims Tribunal / Principal District Judge, Perambalur in M.C.O.P.No.152 of 2021 dated 28.11.2023, rejecting the Claim Petition filed by the claimants.



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2.The first claimant is the wife, the second to fourth claimants are the daughters and the fifth claimant is the son of the deceased Ramasamy. The case of the claimants is that the deceased Ramasamy was travelling in a two-wheeler as a pillion rider on 27.03.2019 at about 3.00 p.m. near a bridge. The offending vehicle which was a Maruti Swift car belonging to the first respondent was driven in a rash and negligent manner and it dashed on the two-wheeler. As a result of which, the deceased sustained grievous injuries. He was admitted in the Government Hospital, Perambalur and even after discharge, he was bed ridden and ultimately he died on 11.06.2019. A First Information Report also came to be registered in Cr.No.117 of 2019 against the driver of the offending vehicle. It is under these circumstances, the claim petition came to be filed before the Tribunal.

3.The Tribunal on considering the facts and circumstances of the case and on appreciation of evidence, came to the conclusion that the accident had taken place only due to the rash and negligent driving on the part of the driver of the offending vehicle.

4.Insofar as the compensation is concerned, the Tribunal found that there was absolutely no nexus between the accident and the ultimate death of the deceased. Therefore, the Tribunal did not fix any compensation and rejected the



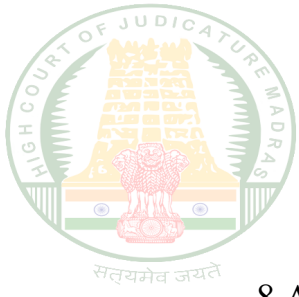
claim petition. Aggrieved by the same, the present appeal has been filed before this Court.

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5. Heard the learned counsel for appellants/claimants and learned counsel for respondents. This Court has carefully considered the submissions made on either side and also went through the award passed by the Tribunal.

6. In the case in hand, the accident had taken place on 27.03.2019. On going through the award, it is seen that the deceased was initially admitted at CM Hospital, Namakkal and thereafter was admitted at Government Hospital, Perambalur. The deceased was discharged against medical advice by his son. Ultimately, the deceased died on 11.06.2019. No postmortem was conducted and the claimants also failed to establish before the Tribunal that the death was only due to the injuries sustained by the deceased in the accident. Under such circumstances, the Tribunal came to the conclusion that no compensation is payable by the Insurance company for the death of the late Ramasamy.

7. The above finding rendered by the Tribunal does not suffer from any perversity warranting the interference of this Court. Accordingly, the award passed by the Tribunal in M.C.O.P.No.152 of 2021 dated 28.11.2023 is confirmed.



N.ANAND VENKATESH, J.

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8. Accordingly, this Civil Miscellaneous Appeal stands dismissed. No costs.

22-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

EP
To
The Motor Accident Claims Tribunal Judge /
Principal District Judge,
Perambalur.

CMA No. 554 of 2024