



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

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THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Miscellaneous Appeal No.2258 of 2026

and

C.M.P.No.17313 of 2026

The Director of Medical Education,
No.162, E.V.R Periyar High Road,
Kilpauk, Chennai – 600 010.

..Appellant

Vs

B.Purushothaman
S/o.Balakrishnan

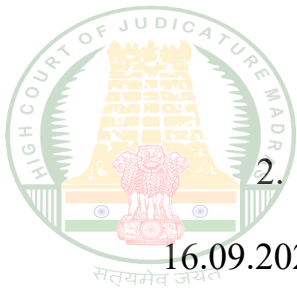
..Respondent

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the award dated 28.02.2025 made in MCOP No.2375 of 2020 on the file of the Motor Accident Claims Tribunal, III Court of Small Causes, Chennai.

For Appellant : Mr.B.Karthikeyan
Government Advocate

JUDGMENT

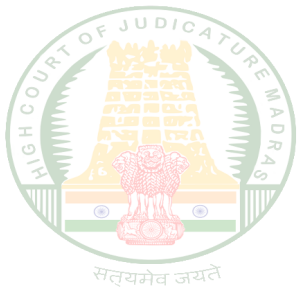
This appeal has been filed by the Director of Medical Education against the award passed by Motor Accident Claims Tribunal, III Court of Small Causes, Chennai, in in MCOP No.2375 of 2020 dated 28.02.2025.



2. The respondent is the claimant. The case of the claimant is that on 16.09.2020, he was riding a two wheeler near SBI ATM, Railway Hospital, Constable Road, ICF, Chennai and at about 19.00 hours, the offending vehicle, a car belonging to the Medical Department, was driven in a rash and negligent manner and it dashed against the two wheeler as a result of which, the claimant fell down and sustained the following injuries: Grade-I open proximal 3rd Tibia comminuted fracture RT/LT scapula neck fracture/undisplaced LT ulnar styloid fracture. The claimant underwent treatment as an inpatient from 19.09.2020 to 28.09.2020 and one surgery was also conducted. It is under these circumstances, the claim petition came to be filed before the Tribunal seeking compensation.

3. The Tribunal, on considering the facts and circumstances of the case and on appreciation of oral and documentary evidence, came to a conclusion that the accident had taken place due to the rash and negligent driving on the part of the rider of the offending vehicle. Having rendered the above finding, the Tribunal proceeded to determine the compensation amount in the following manner:

<i>Sl. No.</i>	<i>Compensation awarded under the head</i>	<i>Amount (in Rs.)</i>
1.	Disability	2,10,000/-
2.	Pain and suffering	20,000/-
3.	Transportation	4,000/-
4.	Extra Nourishment	10,000/-



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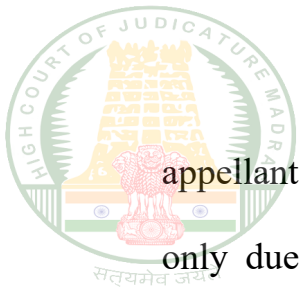
<i>Sl. No.</i>	<i>Compensation awarded under the head</i>	<i>Amount (in Rs.)</i>
5.	Attender charges	3,000/-
6.	Damage to clothes	1,000/-
7.	Loss of amenities	10,000/-
	Total	2,58,000/-

The above compensation was directed to be paid along with interest at 7.5% p.a. Aggrieved by the same, the Director of Medical Education has filed the present appeal before this Court.

4. Heard learned Government Advocate appearing for appellant. This Court also considered the materials available on record and carefully went through the award passed by the Tribunal.

5. The main ground raised by learned counsel for appellant is that the claimant had ridden the two wheeler in a rash and negligent manner and the Tribunal must have at least fixed contributory negligence against the claimant. The next ground raised is that the compensation awarded under the various heads is on the higher side and it requires the interference of this Court.

6. The Tribunal, while fixing the negligence, has carefully assessed the evidence and in the absence of any contra evidence available on the side of the



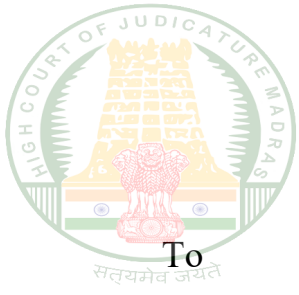
appellant, the Tribunal came to a conclusion that the accident had taken place only due to the rash and negligent driving on the part of the driver of the offending vehicle. This Court does not find any perversity in the finding rendered by the Tribunal warranting interference of this Court. The compensation awarded by the Tribunal is also just and reasonable and does not require the interference of this Court.

7. The appellant is directed to deposit the compensation awarded by the Tribunal, less the amount already deposited, together with interest at 7.5% p.a. from the date of claim petition till the date of deposit within a period of four (4) weeks from the date of receipt of this judgment. On such deposit, the respondent/claimant is entitled to withdraw the same on due application. The other directions issued by the Tribunal with regard to the mode of payment of compensation remains unaltered.

In the result, the Civil Miscellaneous Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

22-07-2026

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



To

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The Motor Accident Claims Tribunal,
III Court of Small Causes,
Chennai.



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N.ANAND VENKATESH, J.

gm

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