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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2026

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CMA No.2003 of 2026
and CMP No.15654 of 2026

The Managing Director

Tamil Nadu State Transport Corporation

Dharmapuri Region

Salem District.

..Appellant

.Vs.

Baridha Khatoon

W/o.Mohammed Saukat

..Respondent

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment and decree dated 04.11.2025 in MCOP No.42 of 2023, on the file of Motor Accident Claims Tribunal, Subordinate Court, Denkanikottai.

For Appellant : Mr.D.Nitin



JUDGMENT

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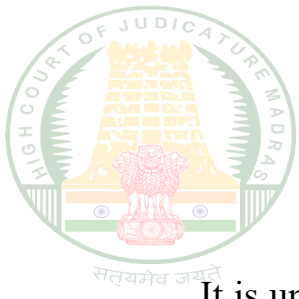
This appeal has been filed by the State Transport Corporation against the award passed by the Motor Accident Claims Tribunal, Subordinate Court, Denkanikottai, passed in MCOP No.42 of 2023, dated 04.11.2025.

2.This Court heard the learned counsel for the appellant and carefully perused the materials available on record and this Court also carefully went through the award passed by the Tribunal.

3.The respondent who is the claimant filed the claim petition on the ground that on 12.03.2022, the claimant got into the bus belonging to the Transport Corporation and when the bus reached the bus stop at Madakondapalli, even before the passenger got down, the bus was started and as a result, the claimant sustained the following injuries:

1.Injury to right lower limb.

2.Injury to right shoulder X ray Right Lower limb
Degloving injury to right lower forum foot upto P/Bra,
exposing muscles bone and tissues. Bleeding present. Rom
Painful right knee and ankle joint. Left Shoulder Swelling
tenderness + over right shoulder. ROM painful and restricted as
right shoulder joint.



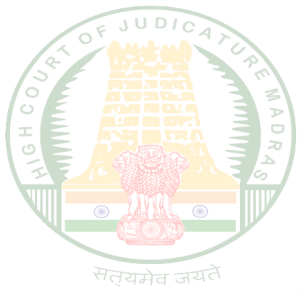
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It is under these circumstances, the claim petition came to be filed before the Tribunal.

4.The Tribunal, on considering the facts and circumstances of the case and on appreciation of evidence, came to a conclusion that the accident had taken place only due to the gross negligence on the part of the driver of the bus. Having rendered the above finding, the Tribunal fixed the total compensation at Rs.36,46,056/- under the following heads:

<i>Sl.No</i>	<i>Compensation awarded under the head</i>	<i>Amount (in Rs.)</i>
1.	Loss of Income	Rs.34,93,056/-
2.	Extra Nourishment	Rs. 25,000/-
3.	Pain and Sufferings	Rs. 1,00,000/-
4.	Transportation Charges	Rs. 15,000/-
5.	Attender Charges	Rs. 8000/-
6.	Damages to Clothes	Rs. 5,000/-
	Total :	Rs.36,46,056/-

The above compensation was directed to be paid along with interest at the rate of 7.5% p.a. Aggrieved by the same, the Transport Corporation has filed the present appeal questioning the quantum of compensation fixed by the Tribunal.

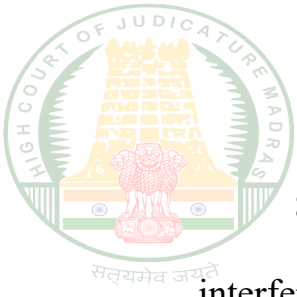


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5.The main ground that was raised on the side of the appellant is that the Medical Board had assessed the disability as 80% and whereas the Tribunal has assumed 100% functional disability without any material. It is further submitted that the compensation granted under the said heads are also excessive and it requires the interference of this Court.

6.In the present case, disability certificate given by the Medical Board was marked as Ex.C.1. In the disability certificate, the permanent disability has been assessed at 80%. The Tribunal took into consideration the fact that the claimant had sustained grievous injuries resulting in the amputation of her right leg below the knee. The Tribunal also took into consideration the fact that the claimant was aged about 32 years and was employed in a Private Company and due to the accident, she suffered 100% functional disability resulting in loss of income. This finding rendered by the Tribunal does not suffer from any perversity warranting the interference of this Court.

7.Insofar as the compensation that has been fixed under the other heads are concerned, this Court finds the same to be fair and reasonable and it does not warrant the interference of this Court.



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8. In the light of the above discussion, this Court is not inclined to interfere with the award passed by the Tribunal and accordingly, this appeal stands dismissed. There shall be a direction to the appellant Transport Corporation to deposit the entire award amount along with accrued interest within a period of eight (8) weeks from the date of receipt of copy of this judgment. On such deposit, the respondent/claimant is entitled to withdraw the same on due application. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

02.07.2026

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
KP

To

The Motor Accident Claims Tribunal,
Subordinate Court, Denkanikottai.



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N. ANAND VENKATESH., J

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