



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-07-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CMA No. 2720 of 2022

K.Ramanathan
S/o. Krishnan

..Appellant(s)

Vs

1. S. Ruban Fernandez
S/o. A. Santhiyagu
2. Reliance General Insurance Co.Ltd.,
Reliance House, R.O. Legal Dept, 6 th Floor,
No.6, Haddows road, Nungambakkam,
Chennai 6.

..Respondent(s)

Civil Miscellaneous appeal filed under Section 173 of the Motor Vehicles Act, 1988 to allow this appeal and be pleased to enhance the amount awarded in MCOP No.1111 of 2018 dated 21.12.2021 on the file of Motor Accident Claims Tribunal (Small Causes Court, Special Sub Judge No.2), Chennai.

For Appellant(s): Mr.K.Varadha Kamaraj

For Respondent(s): M/s.P.Suresh Srinivasan For R2
R1 - Left

Judgment

This Civil Miscellaneous Appeal has been filed against the award passed by Motor Accident Claims Tribunal (Small Causes Court, Special Sub



Judge No.2), Chennai in MCOP No.1111 of 2018 dated 21.12.2021, wherein the claimant is seeking for enhancement of compensation.

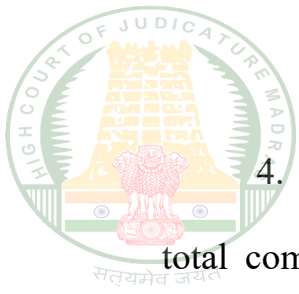
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2. The case of the claimant is that on 17.01.2018, he was riding a two wheeler at GST Road and was proceeding from Chennai towards Trichy and at about 16.00 hours, the offending vehicle which was a car was driven in a rash and negligent manner and the said car was abruptly stopped without giving any indication and as a result, the two wheeler dashed on the car and the claimant was thrown out of the vehicle and he sustained the following injuries :-

***“Compound Grade II fracture left femur
Comminuted both bones fracture left leg
Comminuted both bones fracture left forearm
Soft tissue injury left side forehead”***

The claimant underwent treatment as an inpatient for 34 days and underwent four surgeries. 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 oral and documentary evidence came to the conclusion that the accident had taken place only due to the rash and negligent driving on the part of the rider of the offending vehicle.



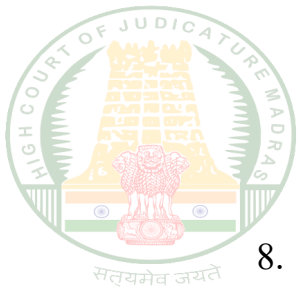
4. Having rendered such a finding, the Tribunal proceeded to fix the total compensation at Rs.12,80,580/- (rounded off to Rs.12,80,600/-) under various heads as follows :-

<i>Sl.No.</i>	<i>Compensation awarded under the head</i>	<i>Amount (in Rs.)</i>
1.	Disability	Rs. 5,77,500/-
2.	Pain and sufferings	Rs. 50,000/-
3.	Transportation	Rs. 5,000/-
4.	Medical expenses	Rs. 6,17,880/-
5.	Extra Nourishment	Rs. 10,000/-
6.	Attender charges	Rs. 10,200/-
7.	Loss of Amenities	Rs. 10,000/-
	Total	Rs.12,80,580/-
	Rounded off	Rs.12,80,600/-

5. The above compensation was directed to be paid with interest at the rate of 7.5% per annum. Aggrieved by the award passed by the Tribunal, the claimant has filed this Appeal seeking for enhancement of compensation.

6. Heard Mr.K.Varadha Kamaraj, learned counsel for the appellant /claimant and Mr.P.Suresh Srinivasan, learned counsel for 2nd respondent.

7. This Court carefully considered the submissions made on either side and the materials available on record.



8. This Court also carefully went through the award passed by the Tribunal.

9. In the case in hand, the Tribunal had adopted the multiplier method, considering the nature of injuries sustained by the claimant and also considering the disability certificate issued by the medical board, which was marked as Ex.C1 and which shows that the claimant has suffered 49% permanent disability. Considering the avocation of the claimant, the Tribunal fixed the functional disability at 25%. This Court finds the same to be reasonable and that it does not warrant the interference of this Court. However, the Tribunal has fixed the notional monthly income at Rs.11,000/-, which is on the lower side. This Court is inclined to enhance the same to Rs.13,500/-. Accordingly, the compensation under the head of disability is calculated as follows :-

$$\begin{aligned}\textbf{Disability} &= \text{Rs.13,500/-} + 25\% \text{ future prospects} \times 12 \times 14 \times 25\% \\ &= \text{Rs.7,08,750/-}\end{aligned}$$

10. This Court is inclined to enhance the compensation under the heads of Pain and sufferings to Rs.75,000/-, Transportation charges to Rs.15,000/-, Extra Nourishment to Rs.35,000/-, Attender Charges to Rs.30,000/-



and loss of amenities to Rs.30,000/-.

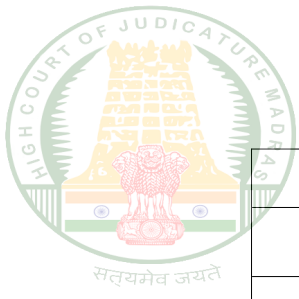
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11. The claimant has filed CMP No.21243 of 2022 seeking to receive additional documents. These Additional documents pertain to the treatment undertaken by the claimant and are supported by the original medical bills, which discloses that the claimant has incurred a sum of Rs.53,064/- towards medical expenses. Accordingly, the said amount is awarded towards Future Medical Expenses.

12. The compensation fixed under the other heads is just and proper and it does not require the interference of this Court.

13. In the light of the above discussion, this Court modifies the compensation in the following manner:-

<i>Sl.No.</i>	<i>Compensation awarded under the head</i>	<i>Amount by the Tribunal (in Rs.)</i>	<i>Amount awarded by this Court (in Rs.)</i>
1.	Disability	Rs. 5,77,500/-	Rs.7,08,750/-
2.	Pain and sufferings	Rs. 50,000/-	Rs.75,000/-
3.	Transportation	Rs. 5,000/-	Rs.15,000/-
4.	Medical expenses	Rs. 6,17,880/-	Rs.6,17,880/-
5.	Extra Nourishment	Rs. 10,000/-	Rs.35,000/-
6.	Attender charges	Rs. 10,200/-	Rs.30,000/-
7.	Loss of Amenities	Rs. 10,000/-	Rs.30,000/-
8.	Future Medical		Rs.53,064/-



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	Expenses		
	Total	Rs.12,80,580/-	Rs.15,64,694/-
	Rounded off	Rs.12,80,600/-	Rs.15,64,700/-

14. The compensation awarded by the Tribunal at Rs.12,80,600/- is enhanced to Rs.15,64,700/-. The Insurance company is directed to deposit the enhanced compensation, 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 six (6) weeks from the date of receipt of this judgment. Insofar as the enhanced compensation is concerned, the deficit court fee, if not paid, shall be paid by the appellant. The other directions issued by the Tribunal with regard to the mode of payment of compensation remains unaltered.

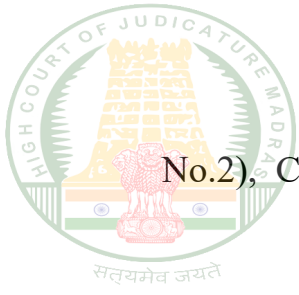
15. In the result, the Civil Miscellaneous Appeal is partly allowed in the above terms. No costs.

13-07-2026

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

RKA

To
The Motor Accident Claims Tribunal (Small Causes Court, Special Sub Judge



No.2), Chennai.

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N.ANAND VENKATESH J.

RKA

**CMA No. 2720 of 2022
AND
CMP NO. 21243 OF 2022**

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