

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2026

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CMA No.1731 of 2026

1.Mrs.Sowmiya

2.S.Pradeeswaran (Minor)

Rep. By his mother and next friend Mrs.Sowmiya

3.Mrs.Salsa

..Appellants

.vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
Villupuram.

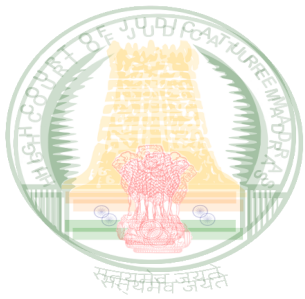
2.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
Chennai 600 007.

..Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, against the order dated 13.08.2025 made in MACTOP No.4269 of 2021, on the file of the Motor Accident Claims Tribunal (IV Court of Small Causes), Chennai.

For Appellant : Mr.A.G.F.Terry Chella Raja

For Respondent : Mr.S.Santhosa Kumar



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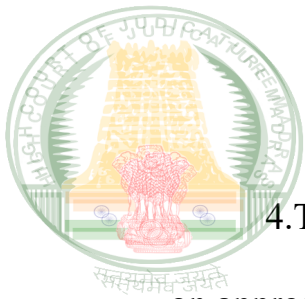


JUDGMENT

This appeal has been filed against the Award passed by the Motor Accident Claims Tribunal (IV Court of Small Causes), Chennai in MCOP No.4269 of 2021 dated 13.08.2025, wherein the claimants are seeking for enhancement of compensation.

2.The 1st claimant is the wife, the 2nd claimant is the minor son and the 3rd claimant is the mother of the deceased Sathish.

3.The case of the claimants is that the deceased Sathish was travelling as a pillion rider in a two wheeler on 21.08.2021 at Chengalpattu-Chennai GST Road and at about 22.15 hours near Singaperumalkoil, the offending vehicle which was the bus belonging to the transport corporation was driven in a rash and negligent manner and it dashed on the two wheeler. As a result of which, the deceased was thrown out of the vehicle and he sustained fatal injuries and he succumbed to the injuries on 22.08.2021. An FIR came to be registered in Crime No.885 of 2021 against the driver of the bus. 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 oral and documentary evidence, 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.

5.Having rendered the above finding, the Tribunal fixed the total compensation at Rs.30,42,200/- under various heads as follows:

Compensation awarded under the head	Amount (in Rs.)
Loss of Dependency	28,67,200
Loss of Consortium	1,32,000
Loss of Estate	16,500
Funeral Expenses	16,500
Transportation Charges	10,000
Total	30,42,200

6.The above compensation was directed to be paid along with interest at the rate of 7.5% per annum.

7.Aggrieved by the same, the claimants have filed the present appeal seeking for enhancement of compensation.



8. Heard the learned counsel for the appellants and the learned counsel appearing on behalf of the respondents.

9. In the case in hand, the bone of contention is regarding the monthly income that was fixed by the Tribunal while calculating the compensation under the head of loss of income. The Tribunal had fixed the notional monthly income at Rs.16,000/-. The claimants have claimed that the monthly income of the deceased was Rs.18,000/-. Considering the fact that the accident had taken place in the year 2021 and the claimants are the wife, minor child and the mother, this Court is inclined to fix the notional monthly income at Rs.18,000/-. Consequently, the compensation under the head of loss of income/dependency is calculated as follows:

$$\text{Rs.25,200/- (Rs.18,000/- + Rs.7,200(40\%))} \times 12 \times 16 \times 1/3 = \text{Rs.32,25,600/-}$$

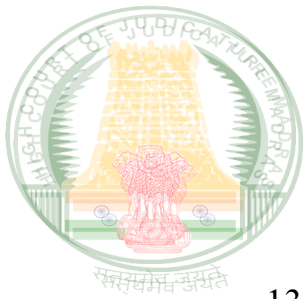
10. The compensation that has been fixed under the other heads are reasonable and does not require the interference of this Court.

11. In the light of the above discussion, the compensation awarded by the tribunal is modified as follows:



Compensation awarded under the head	Amount (in Rs.)
Loss of Dependency	32,25,600
Loss of Consortium	1,32,000
Loss of Estate	16,500
Funeral Expenses	16,500
Transportation Charges	10,000
Total	34,00,600

12.The compensation awarded by the tribunal at Rs.30,42,200/- is enhanced to Rs.34,00,600/-. The second respondent insurance company is directed to deposit the enhanced compensation of Rs.34,00,600/-, less the amount already deposited, together with interest at the rate of 7.5% p.a. from the date of claim petition till the date of deposit within a period of six 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 claimants. The guidelines issued by the Division Bench of this Court in CMA No.2064 of 2026, dated 08.07.2026 shall be strictly complied with respect to disbursement of the compensation amount to the claimants. The other directions issued by the Tribunal with regard to the mode of payment of compensation remains unaltered.

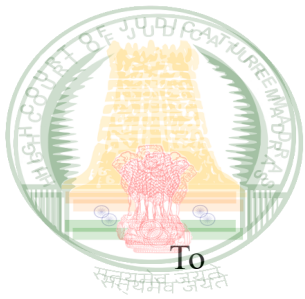


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13. In the result, this Civil Miscellaneous Appeals is partly allowed in the above terms. No Costs.

31.07.2026

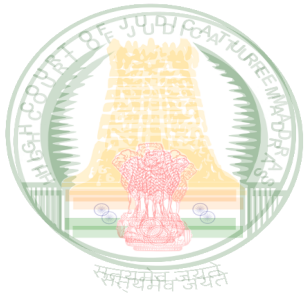
Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
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To

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The Motor Accident Claims Tribunal (IV Court of Small Causes), Chennai.



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N. ANAND VENKATESH., J

SSR

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