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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2026

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CMA No.1687 of 2026

1.B.Chitra

2.V.Balan

..Appellants

.VS.

1.S.Manikandan

2.The New India Assurance Co., Ltd.,
Motor Third Party Claims Hub,
Bimbay Mutural Building, 6th Floor,
No.223, NSC Bose Road,
Chennai 600 001.

..Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, against the order made in MCOP No.3946 of 2024, dated 12.02.2026, on the file of the Motor Accident Claims Tribunal/I Special Court, Small Causes Court, Chennai.

For Appellant : Mr.K.Balaji

For Respondent : Mr.A.Salomi for R2
R1 – Ex-parte



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JUDGMENT

This appeal has been filed against the Award passed by the Motor Accident Claims Tribunal/I Special Court, Small Causes Court, Chennai in MCOP No.3946 of 2024 dated 12.02.2026, wherein the claimants are seeking for enhancement of compensation.

2.The claimants are the parents of the deceased, Manoj. The case of the claimants is that on 22.06.2024, the deceased was riding a two wheeler at GST Road and at about 22.55 hours, near the hotel, the offending vehicle which was a car was driven in a rash and negligent manner and dashed on the two wheeler. As a result of which, the deceased sustained grievous injuries and he succumbed to the injuries on the way to the hospital. An FIR came to be registered in Crime No.378 of 2024 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 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.



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4. Having rendered the above finding, the Tribunal fixed the total compensation at Rs.23,78,000/- under various heads as follows:

Compensation awarded under the head	Amount (in Rs.)
Loss of Income	22,68,000
Loss of Consortium	80,000
Loss of Estate	15,000
Funeral Expenses	15,000
Total	23,78,000

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

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

7. Heard the learned counsel for the appellant and the learned counsel appearing on behalf of the 2nd respondent.

8. In the case in hand, the deceased was aged about 19 years and he has left behind his parents. The accident had taken place during June



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2024. The Tribunal has fixed the notional monthly income at Rs.15,000/-, which is clearly on the lower side. This Court is inclined to fix a sum of Rs.22,500/- as notional monthly income. Consequently, the compensation under the head of loss of income/dependency is calculated as follows:

$$\text{Rs.31,500 (Rs.22,500 + Rs.9,000/- (40\%)) x 12 x 18 x 1/2 =}$$

Rs.34,02,000/-

9.The Tribunal has fixed the compensation under the head of loss of consortium at Rs.80,000/-. Considering the fact that the accident had taken place during June, 2024, this Court is inclined to fix the compensation under the head of loss of consortium at Rs.96,000/- (Rs.48,000/- x 2).

10.The compensation under the head of Loss of Estate is fixed at Rs.16,500/-, Funeral Expenses at Rs.16,500/- and Transportation Charges at Rs.10,000/-.

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



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Compensation awarded under the head	Amount (in Rs.)
Loss of Income	34,02,000
Loss of Consortium	96,000
Loss of Estate	16,500
Funeral Expenses	16,500
Transportation Charges	10,000
Total	35,41,000

12.The compensation awarded by the tribunal at Rs.23,78,000/- is enhanced to Rs.35,41,000/-. The second respondent insurance company is directed to deposit the enhanced compensation of Rs.35,41,000/-, 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 four 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 Appeal is partly allowed
in the above terms. No Costs.

06.08.2026

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

The Motor Accident Claims Tribunal/I Special Court, Small Causes Court, Chennai.



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N. ANAND VENKATESH., J

SSI

CMA No.1687 of 2026

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