



WEB COPY

CMA No. 2002 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR JUSTICE C.V. KARTHIKEYAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

CMA.No.2002 of 2026

and

CMP.No.15645 of 2026

Reliance General Insurance Company Ltd
Reliance House, 6th Floor Haddows Road,
Chennai 6.

..Appellant(s)

Vs

1. V.S.Murugan
S/o.Shanmugavel,

2. K.Latha
W/o.V.S.Murugan,

1 & 2 are residing at
Flat No.4, Lakshmi Nagar, 1st Street,
Egambaram Avenue, Madipakkam, Chennai 91.

3. E.Sedhurajan
S/o.Ethirajan, No.2/422A, Ragavendhra Nagar,
Nathambedu, Thiruninravur 602 024.

..Respondent(s)

PRAYER: This Civil Miscellaneous petition filed under Section 173 of the Motor Vehicles Act, 1988, to set aside the order dated 13.02.2024 passed in MCOP No.7253 of 2016 on the file of MACT Special Sub Judge No.I, Small Causes, Chennai and pass such further or other orders in the circumstances of the case and thus render justice.



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For Appellant(s):

Mr.P.Suresh Srinivasan

For Respondent(s):

No appearance (for R1 & R2)

Not ready in notice
regarding R3

ORDER

(Order of the Court was made by K.RAJASEKAR,J.)

Challenging the quantum of compensation awarded on 13.02.2024, in MCOP No.7253 of 2016, on the file of the MACT Special Sub Judge No.1, Small Causes Court, Chennai, the insurance company has come forward with this Appeal.

2.The facts leading to filing of the claim petition is that the claimants 1 and 2 have filed the claim petition seeking compensation for a sum of Rs.50,00,000/- by invoking Section 166 of the Motor Vehicles Act and Rule 3 of the MACT Rules for the death of S.M.Chinnadurai who died in a road accident on 22.04.2016 at about 5.00 a.m. taken place at Medavakkam main road, Puzhuthivakkam main road junction. According to the claimants, while the deceased was riding his motor cycle, the driver of the first respondent, TATA Indica Car bearing registration No.TN 20 BJ 8191 driven in a rash and negligent manner and hit against the deceased S.M.Chinnadurai which resulted in causing injuries and subsequently, he succumbed to the injuries.



3. Before the Tribunal, the first respondent remained ex-parte. The second respondent contested the claim challenging the negligence alleged against the driver of the TATA Indica Car and also challenging the quantum of compensation awarded.

4. The Tribunal based on the oral and documentary evidence, accepted the case of the claimants and directed the insurance company to pay the compensation for a sum of Rs.29,94,000/-. Aggrieved over the quantum of compensation, this appeal has been filed.

5. The learned counsel for the appellant submitted that the monthly income of the appellant fixed by the Tribunal is on the higher side and there is no evidence to support the same. He further submitted that the amounts awarded under the other heads are also on the higher side and prayed to modify the same.

6. We have carefully considered the submissions made and perused the material records.

7. Perusal of the judgment reveals that the Divisional Manager of Ashok Leyland company where the deceased was working has been examined as PW3. The employee ID card of PW3 was also marked as Ex.P14. According to PW3, the company was functioning originally under the name of Hinduja Foundries and subsequently, merged with Ashok Leyland. The deceased was engaged as

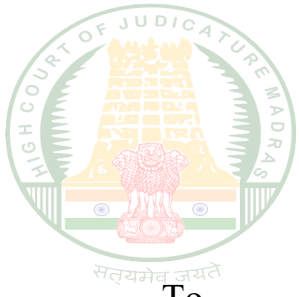


Graduate Engineer Trainee and he was paid a sum of Rs.19,040/- as salary and the salary slip of the deceased was marked as Ex.P18. On perusal of the above evidence adduced by PW3 and Ex.P18 salary slip of the deceased, Ex.P15 copy of the appointment letter of the deceased, Ex.P16 copy of the employment ID card of the deceased, Ex.P17 copy of attendance register, it is clearly established that the deceased was engaged as a Trainee and was earning a sum of Rs.19,040/-. Therefore, we are of the view that the monthly income of the deceased fixed by the Tribunal is appropriate. The Tribunal had also granted amounts under the heads future prospects, loss of consortium, loss of estate, funeral expenses and transport charges. We have perused the same and found that the same is just and fair.

8.In view of the same, we are not inclined to interfere with the Award passed by the Tribunal. The Award dated 13.02.2024 passed in MCOP No.7253 of 2016 by the MACT Special Sub Judge No.1, Small Causes Court, Chennai is confirmed. The Appeal stands dismissed. No costs. Consequently, connected miscellaneous petition, if any, is also closed.

(C.V.K.,J.) (K.R.S.,J.)
24-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To
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MACT Special Sub Judge No.I,
Small Causes, Chennai.



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C.V.KARTHIKEYAN, J.
AND
K.RAJASEKAR, J.

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