



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-06-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

CMA No. 2483 of 2023

J. Viswanath
S/o.Jagadeesan,
No.59/36, Pillaiyar Koil Street,
Minjur peruratchi, Minjur 601 2023

..Appellant(s)

Vs

1. B. Ayyappan
S/o.Baddappa, Choudery, No.4/41, 3rd Street,
Sakthivel nagar, Puzhal, Chennai 600 006.
2. Reliance General Insurance Co.Ltd,
Motor Third party Claims, No.6, Reliance
House, 6th Floor, Haddows Road,
Nungambakkam, Chennai 600 006.

..Respondent(s)

To enhance the amount awarded in MCOP.No.2002 of 2015 dated 02.02.2023 on the file of Motor Accident Claims Tribunal, (V Small Causes Court), Chennai as prayed for with interest and cost.

CMA No. 2483 of 2023

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

For Respondent(s): M/s.G.Sukumari for R2
R1-Speed Post Notice Sent



Judgment

WEB COPY

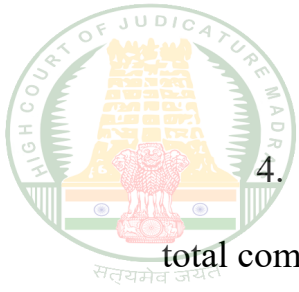
This Civil Miscellaneous Appeal has been filed by the claimant challenging the award passed by the Motor Accident Claims Tribunal, V Small Causes Court, Chennai, in MCOP No.2002 of 2015 dated 02.02.2023, wherein the claimant is seeking for enhancement of compensation fixed by the Tribunal.

2. The Appellant filed the claim petition on the ground that on 21.08.2014, he was riding a two wheeler from Sengundram to Thiruvallur and at about 11.00 hours, the offending vehicle, which was a TATA Ace Magic, was driven in a rash and negligent manner and it dashed against the two wheeler. As a result of which, the appellant sustained the following injuries :-

“Fracture of left scapula, fracture of mandible reduced dislocation of left elbow”

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

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.



4. Having rendered such a finding, the Tribunal proceeded to fix the total compensation at Rs.2,22,900/- under various heads as follows :-

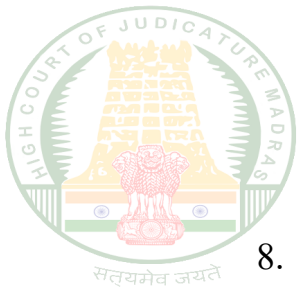
WEB COPY

<i>Sl.No.</i>	<i>Compensation awarded under the head</i>	<i>Amount (in Rs.)</i>
1.	Disability	Rs. 30,000/-
2.	Medical expenses	Rs. 1,54,500/-
3.	Loss of Income	-
4.	Pain and sufferings& Mental agony	Rs. 10,000/-
5.	Transportation expenses	Rs. 5,000/-
6.	Nutrition Expenses	Rs. 10,000/-
7.	Damages to clothes	Rs. 1,000/-
8.	Attender charges	Rs. 2,400/-
9.	Loss of Amenities	Rs. 10,000/-
	Total	Rs. 2,22,900/-

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

6. Heard Mr.K.Varadha Kamaraj, learned counsel for appellant/claimant and Mr.G.Sukumari, 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. The learned counsel for the appellant submitted that considering the nature of injuries that were sustained by the claimant and the disability certificate that was issued by the Medical Board and that the claimant had undergone treatment as an inpatient for six days, the Tribunal had awarded a very low compensation.

10. In the considered view of this Court, the Tribunal had considered each and every head and has fixed a very reasonable compensation. There is no scope for enhancing the said compensation. Accordingly, the award passed by the Tribunal is sustained and this appeal is dismissed. No costs.

30-06-2026

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

RKA

To
The Motor Accident Claims Tribunal, (V Small Causes Court), Chennai



WEB COPY

CMA No. 2483 of 2



N.ANAND VENKATESH J.

RKA

CMA No. 2483 of 2023

30-06-2026