



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

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THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Miscellaneous Appeal No.2256 of 2026

1. R.Sathiya
W/o.Late E.Romadass
2. Minor R.Saravanapriya
D/o.Late E.Romadass
3. Minor R.Shanmugapriya
D/o.Late E.Romadass

[minors represented by their mother and
natural guardian 1st appellant R.Sathiya]

4. E.Annammal
W/o.Late Ellappan

..Appellants

Vs

The Managing Director
Tamil Nadu State Transport Corporation Ltd.,
NH-4, Ponnerikarai, Kari Village and Post,
Kancheepuram District.

..Respondent

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the judgment dated 02.06.2022 made in MCOP No.105 of 2019 on the file of the Motor Accident Claims Tribunal, Additional District Court (FTC), Kancheepuram.

For Appellants : Mr.M.Sivakumar
For Respondent : Mr.C.R.Sureshkumar



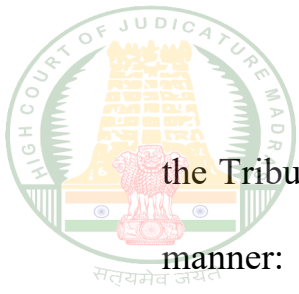
JUDGMENT

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This appeal has been filed against the award passed by the Motor Accident Claims Tribunal, Additional District Court (FTC), Kancheepuram, passed in M.C.O.P.No.105 of 2019 dated 02.06.2022, wherein the claimants are seeking enhancement of compensation.

2. The first claimant is the wife and the claimants 2 and 3 are the minor daughters and the fourth claimant is the mother of the deceased. The case of the claimants is that the deceased was riding a two wheeler on 10.11.2018 from Cheyyar and at about 12.30 p.m., when the vehicle was near the Mangal Junction Road, the bus belonging to the transport corporation was driven in a rash and negligent manner and dashed against the two wheeler as a result of which the deceased was thrown out of the vehicle and died on the spot. 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 due to the rash and negligent driving on the part of the driver of the offending vehicle. Having rendered the above finding,



the Tribunal proceeded to determine the compensation amount in the following manner:

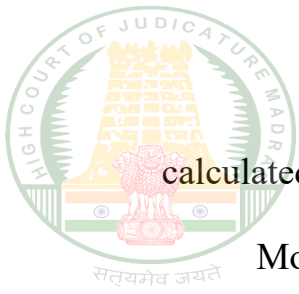
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<i>Sl. No.</i>	<i>Compensation awarded under the head</i>	<i>Amount (in Rs.)</i>
1.	Loss of income	17,01,000/-
2.	Funeral expenses	15,000/-
3.	Loss of consortium	40,000/-
4.	Loss of estate	15,000/-
	Total	17,71,000/-

The above compensation was directed to be paid along with interest at 7.5% p.a. Aggrieved by the same, the present appeal has been filed before this Court by the claimants seeking enhancement of compensation.

4. Heard learned counsel for appellants and learned counsel for respondent. This Court also considered the materials available on record and carefully went through the award passed by the Tribunal.

5. In the case in hand, the Tribunal has fixed the notional monthly income of the deceased at 9,000/-. It is a case where the accident had taken place in the year 2018 and hence, it is appropriate to fix the notional income at Rs.15,000/-. Accordingly, the compensation under the head 'loss of income' is



calculated as follows:

Monthly Income	:	Rs. 16,000/-
Add: 40% future prospects	:	Rs. 6,400/-

		Rs. 22,400/-
Less: Personal expenses (1/4)	:	Rs. 5,600/-

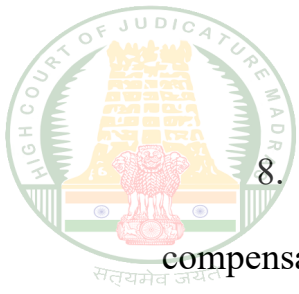
		Rs. 16,800/-
		x 12

Annual income	:	Rs. 2,01,600/-
Multiplier	:	x 15

Loss of income	:	Rs.30,24,000/-

6. The Tribunal has granted only a sum of Rs.40,000/- towards loss of consortium. Considering the fact that there four claimants/dependents, this Court is inclined to fix a sum of Rs.1,60,000/- under this head. The Tribunal has not granted any compensation towards transportation and hence, a sum of Rs.10,000/- is granted under such head.

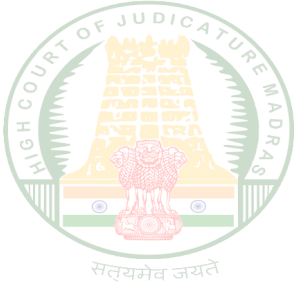
7. The compensation granted under the other heads is just and reasonable and does not require the interference of this Court.



8. 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.	Loss of income	17,01,000/-	30,24,000/-
2.	Funeral expenses	15,000/-	15,000/-
3.	Loss of consortium	40,000/-	1,60,000/-
4.	Loss of estate	15,000/-	15,000/-
5.	Transportation	-	10,000/-
	Total	17,71,000/-	32,24,000/-

9. The compensation awarded by the Tribunal at Rs.17,71,000/- is enhanced to Rs.32,24,000/-. The respondent 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. On such deposit, the appellants/claimants are entitled to withdraw their respective shares on due application. Insofar as the enhanced compensation of Rs.14,53,000/- is concerned, the appellants/claimants will not be entitled for interest for the period of delay of 996 days as was ordered by this Court in C.M.P.No.20284 of 2025 in C.M.A.Sr.No.127088 of 2025 dated 17.06.2026. Insofar as the enhanced compensation is concerned, the deficit court fee, if not paid, shall be



N.ANAND VENKATESH, J.

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paid by the appellants/claimants. The other directions issued by the Tribunal with regard to the mode of payment of compensation remains unaltered.

In the result, the Civil Miscellaneous Appeal is partly allowed. No costs.

22-07-2026

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

To

The Motor Accident Claims Tribunal,
Additional District Court (FTC),
Kancheepuram.

Civil Miscellaneous Appeal No.2256 of 2026