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CMA.No.2504 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Miscellaneous Appeal No.2504 of 2025

Mrs.Vasanthi, W/o. Sakthi Vadivel,
Temporary address at No.8, SI Quarters
Nagammai Nagar Avadi, Chennai 109,
Native Address No.130/79, Adidraavidar
Street, Periyamaligaparai, Trichy-620001

...Appellant

Vs

1. V.Vijayakumar, S/o. Velraj,
No.267/31, Vellore Main Road,
Sirukaveripakkam, Kanchipuram-631-551
2. The Manager, United Indian Insurance Co.
Ltd., Silling Building, 4th Floor, No.134,
Greems Road, Chennai-6

...Respondents

APPEAL under Section 173 of the Motor Vehicles Act, 1988
against the award dated 08.1.2025 passed in MCOP.No.3674 of
2020 on the file of the Motor Accidents Claims Tribunal (VI Court of
Small Causes), Chennai.



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For Appellant:

Mr.K.Balaji

For Respondents:

Mr.D.Venkatachalam for R2
R1 – served & no appearance

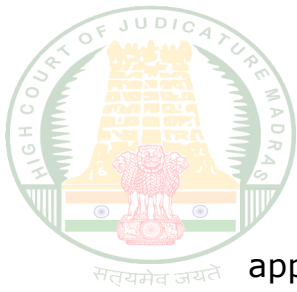
JUDGMENT

This is an appeal filed by the appellant - claimant against the award dated 08.1.2025 made in MCOP.No.3674 of 2020 on the file of the Motor Accidents Claims Tribunal (VI Court of Small Causes), Chennai (for short, the Tribunal below) wherein she is seeking for enhancement of compensation.

2. Heard the learned counsel for the appellant – claimant and the learned counsel appearing for the second respondent – Insurance Company.

3. The case of the appellant – claimant is as follows:

(i) On 07.9.2020, the appellant – claimant was riding a two wheeler at Singaperumalkoil – Sriperumbudur Road and at about 10.30 PM, when the two wheeler was near Oragadam, the offending vehicle, which was a car, was driven in a rash and negligent manner and dashed on the rear side of the two wheeler ridden by the



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appellant – claimant, as a result of which, she fell down and sustained the following injuries :

"Comminuted fracture of both bones right leg"

and multiple injuries all over the body. She was treated as an inpatient for 19 days and underwent one surgery. It was under those circumstances, the claim petition came to be filed before the Tribunal below.

(ii) The Tribunal below, on considering the facts and circumstances of the case and on appreciation of the oral and documentary evidence, came to the 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.

(iii) Having rendered the above finding, the Tribunal below fixed the total compensation amount in the following manner :

S.No.	Head	Amount
1	Part disability	Rs. 1,75,000/-
2	Pain & suffering	Rs. 25,000/-
3	Medical expenses	Rs. 6,45,100/-
4	Attendant charges	Rs. 9,500/-
5	Transportation	Rs. 10,000/-
6	Loss of Income	-----
7	Loss of amenities	Rs. 10,000/-
8	Extra nourishment	Rs. 10,000/-
	Total	Rs. 8,84,600/-



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(iv) The above total compensation amount was directed to be paid by the second respondent – Insurance Company with interest at the rate of 7.5% per annum from the date of claim petition till the date of payment. Aggrieved by that, the appellant – claimant is before this Court seeking for enhancement of compensation.

4. This Court has carefully considered the submissions of the learned counsel on either side and perused the materials available on record and more particularly the impugned award.

5. In the case on hand, the accident had taken place in the year 2020. The Tribunal below had taken into consideration the disability certificate, which was marked as Ex.C.1, issued by the Medical Board and fixed a sum of Rs.7,000/- per percentage and granted a sum of Rs.1,75,000/- under the head 'part disability'. This Court is inclined to fix a sum of Rs.10,000/- per percentage. Consequently, the compensation under the head 'part disability' is fixed at Rs.2,50,000/- (Rs.10,000/- per percentage X 25).



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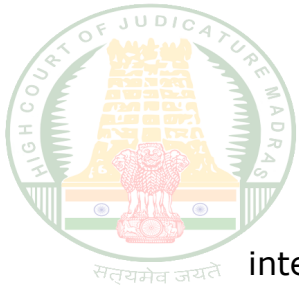
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6. Considering the nature of injuries, the period, for which, the appellant – claimant took treatment as an inpatient and the procedure that was carried out, this Court is inclined to enhance the compensation under the heads 'pain and suffering' to Rs.35,000/-; 'attendant charges' to Rs.15,000/-; 'transportation' to Rs.15,000/- and 'extra nourishment' to Rs.20,000/-. The compensation granted under the other heads is sustained as it is.

7. In the light of the above discussions, the above civil miscellaneous appeal is partly allowed and the award dated 08.1.2025 made in MCOP.No.3674 of 2020 on the file of the Tribunal below is modified as follows:

S.No.	Head	Amount awarded by the Tribunal below	Amount awarded by this Court in this appeal
1	Part disability	Rs. 1,75,000/-	Rs.2,50,000/-
2	Pain & suffering	Rs. 25,000/-	Rs. 35,000/-
3	Medical expenses	Rs. 6,45,100/-	Rs.6,45,100/-
4	Attendant charges	Rs. 9,500/-	Rs. 15,000/-
5	Transportation	Rs. 10,000/-	Rs. 15,000/-
6	Loss of Income	-----	-----
7	Loss of amenities	Rs. 10,000/-	Rs. 10,000/-
8	Extra nourishment	Rs. 10,000/-	Rs. 20,000/-
	Total	Rs. 8,84,600/-	Rs.9,90,100/-

The above enhanced compensation amount Rs.9,90,100/- is directed to be deposited by the second respondent along with



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interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit within six weeks from the date of receipt of a copy of this judgment. No costs.

16-07-2026

To

- 1.The Motor Accidents Claims Tribunal/
(VI Court of Small Causes), Chennai
- 2.The Manager, United Indian Insurance
Co.Ltd., Silling Building, 4th Floor,
No.134, Greams Road, Chennai-6

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