



C.M.A.No.1945 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2026

CORAM:

THE HON'BLE MR. JUSTICE N. ANAND VENKATESH

C.M.A.No.1945 of 2026

Praveen Kumar

... Appellant

Vs.

1. D.Rangarajan

2. The New India Assurance Company Limited,
Rep. by Branch Manager,
Guduvancheri micro office,
6 Alaramelunilyam near bus stand,
Gudvancheri, Krishnagiri – 603 202

... Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, to enhance the compensation amount made in Award dated 13.03.2024 made in MCOP No.663 of 2022 on the file of the Motor Accidents Claims Tribunal, Special Subordinate Court, Krishnagiri,.

For Appellant : Mr.S.P.Yuaraj

For Respondents : Mr.J.Chandran for R2

JUDGMENT

This civil miscellaneous appeal has been filed against the award passed by the Motor Accidents Claims Tribunal, Special Subordinate Judge, Krishnagiri, in MCOP No.663 of 2022 dated 13.03.2024, wherein the appellant/claimant is seeking enhancement of compensation fixed by the Tribunal.



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2. The case of the appellant/claimant is that on 24.12.2021, he was riding a two wheeler from Botheri to Krishnagiri and at about 18.45 hours, when he was nearing the Porridge Company road, Sendamangalam, the offending vehicle, which was a TATA lorry belonging to the first respondent, was driven in a rash and negligent manner and dashed against the rear side of the claimant's two wheeler. As a result, the claimant sustained an open fracture of the right medial malleolus with skin and soft tissue loss over the medial aspect of the right foot, the lateral aspect of the left knee and over the dorsum of the left foot, a head injury – a left temporal fracture with EDH, pneumocephalus and a right tentorial bleed. The claimant underwent treatment as an inpatient for 31 days in two spells, during which surgeries were also performed. The First Information Report came to be filed against the driver of the offending vehicle in Crime No.453 of 2021. 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 proceeded to

fix the total compensation at Rs.14,37,000/- under various heads as follows:

<i>S.No.</i>	<i>Heads</i>	<i>Awarded by the Tribunal (in Rs.)</i>
1.	Disability	2,75,000
2.	Pain and Suffering	1,00,000
3.	Transportation Expenses	52,600
4.	Additional Nourishment	10,000
5.	Damage to the clothes	2,000
6.	Loss of Amenities & Attender Charges	1,25,000
7.	Loss of Income	60,000
8.	Medical Bills	8,12,400
Total		14,37,000

The above compensation amount was directed to be paid by the second respondent/Insurance Company together with interest at the rate of 7.5% per annum. Aggrieved by the same, the present appeal has been filed by the appellant/claimant seeking enhancement of compensation.

5. Heard Mr.S.P.Yuaraj, learned counsel for the appellant/claimant and Mr.J.Chandran, learned counsel for the second respondent/Insurance Company.

6. This Court also carefully considered the materials available on record and went through the award passed by the Tribunal.



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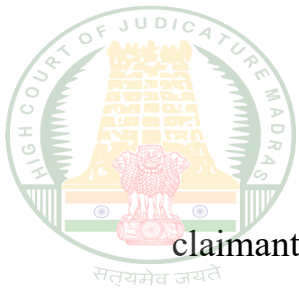
7. The Tribunal had adopted percentage method and fixed a sum

of Rs.5,500/- per percentage of disability. Ex.C1 is the disability certificate issued by the Medical Board, which assessed that the claimant suffered 50% partial permanent disability. Considering the fact that the accident had taken place in the year 2021, this Court is inclined to fix a sum of Rs.10,000/- per percentage of disability. Consequently, the compensation under the head 'Disability' is fixed at Rs.5,00,000/- (Rs.10,000/- x 50% of disability).

8. The claimant underwent treatment as an inpatient for 31 days in two spells and even thereafter, he underwent treatment as in inpatient for 13 days and nearly 5 surgeries were performed. In view of the same, this Court is inclined to enhance the compensation under the head 'Additional Nourishment' to Rs.25,000/-.

9. The compensation fixed under the other heads is fair and reasonable and does not require the interference of this Court.

10. The appellant/claimant has filed a petition in C.M.P.No.15246 of 2026 under Order XVI rule 27 of CPC, seeking to adduce additional evidence, which consists of 113 medical bills substantiating the fact that the



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claimant underwent treatment even thereafter and incurred expenses to the tune of Rs.3,73,740/-. This Court, after carefully going through the documents, allowed the petition and marked the 113 medical bills filed as additional document as Ex.P15 series. Accordingly, this Court is inclined to award the said sum of Rs.3,73,740/- under the head 'Additional Medical Expenses'.

11. In the light of the above discussion, this Court modifies the compensation in the following manner:

<i>S.No.</i>	<i>Heads</i>	<i>Awarded by the Tribunal (in Rs.)</i>	<i>Modified by this Court (in Rs.)</i>
1.	Disability	2,75,000	5,00,000
2.	Pain and Suffering	1,00,000	1,00,000
3.	Transportation Expenses	52,600	52,600
4.	Additional Nourishment	10,000	25,000
5.	Damage to the clothes	2,000	2,000
6.	Loss of Amenities & Attender Charges	1,25,000	1,25,000
7.	Loss of Income	60,000	60,000
8.	Medical Bills	8,12,400	8,12,400
9.	Additional Medical Expenses	-	3,73,740
Total		14,37,000	20,50,740

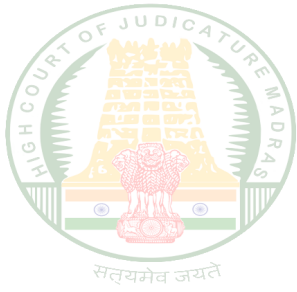


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WEB COPY 12. The compensation awarded by the Tribunal at Rs.14,37,000/- is enhanced to Rs.20,50,740/-. The second respondent/Insurance Company is directed to deposit the enhanced compensation, excluding the compensation granted under the head 'Additional Medical Expenses', less the amount already deposited, together with interest at the rate of 7.5% p.a. from the date of the claim petition till the date of deposit within a period of four (4) weeks from the date of receipt of a copy of this judgment.

13. Insofar as the compensation granted under the head 'Additional Medical Expenses' is concerned, the second respondent/Insurance Company shall deposit the same within a period of four (4) weeks from the date of receipt of a copy of this judgment.

14. Insofar as the enhanced compensation is concerned, the deficit court fee, if not paid, shall be paid by the appellant. The other directions issued by the Tribunal with regard to the mode of payment of compensation remains unaltered.



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WEB COPY 15. In the result, this Civil Miscellaneous Appeal is partly allowed. No costs.

16.07.2026

Neutral Citation: Yes/No
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To

1. The Special Subordinate Judge,
Special Subordinate Court,
Motor Accidents Claims Tribunal,
Krishnagiri.
2. The Section Officer,
VR Section,
High Court of Madras.



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N. ANAND VENKATESH, J.

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