



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2026

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CMA No.2377 of 2026

1.Jaya

2.Madhaiyan

3.Rajathiyammal

4.Jayapal

..Appellants

.VS.

1.Natarajan

2.The Branch Officer,
Reliance General Insurance Co., Ltd.,
Sree Lakshmi Complex, 1st Floor,
Omalur Main Road, Bharathi Street,
Swarnampuri, Salem 636 004.

..Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, appeal challenging the order dated 16.10.2024 made in MCOP No.535 of 2021, on the file of the Motor Accident Claims Tribunal, Special District Court, Krishnagiri.

For Appellant : Mr.S.P.Yuvaraj

For Respondent : Mr.P.Suresh Srinivasan for R2



JUDGMENT

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This appeal has been filed against the Award passed by the Motor Accident Claims Tribunal, Special District Court, Krishnagiri in MCOP No.535 of 2021 dated 16.10.2024, wherein the claimants have seeking for enhancement of compensation.

2.The claimants are the children of the deceased, Ellammal. The case of the claimants is that on 15.02.2021, the deceased was walking on the extreme left side of the Rayakottai-Krishnagiri Road and at about 06.30 a.m., the offending vehicle which was a two wheeler belonging to the 1st respondent was ridden in a rash and negligent manner and it dashed on the deceased. As a result of which, the deceased sustained fatal injuries and succumbed to the injuries. An FIR came to be registered against the rider of the two wheeler in Crime No.50 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 rider of the two wheeler.



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4. Having rendered the above finding, the Tribunal fixed the total compensation at Rs.10,10,900/- under various heads as follows:

Compensation awarded under the head	Amount (in Rs.)
Loss of Dependency	75,000
Loss of Estate	20,000
Funeral Expenses	20,000
Loss of Consortium	1,76,000
Total	10,10,900

5.The above compensation was directed to be paid along with interest at the rate of 7.5% per annum.

6.Aggrieved by the same, the claimant has filed the present appeal seeking for enhancement of compensation.

7.Heard the learned counsel for the appellants and the learned counsel appearing on behalf of the 2nd respondent.

8.The bone of contention is regarding the notional monthly income that was fixed by the Tribunal while calculating the compensation under the head of 'Loss of Dependency'.



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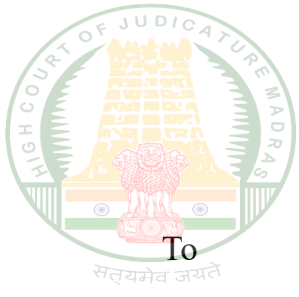
9. In the considered view of this Court, the claimants are all aged about 42 to 46 years and the deceased was aged about 60 years and by no stretch, the claimants can be called dependents on the deceased. In spite of the same, the Tribunal has fixed the compensation under the head of 'Loss of Income'.

10. In view of the above, this Court does not want to tinker with the Award passed by the Tribunal and the Award passed by the Tribunal is confirmed.

11. Accordingly, this Civil Miscellaneous Appeal stands dismissed. No Costs.

30.07.2026

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
ssr



To

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The Motor Accident Claims Tribunal, Special District Court, Krishnagiri.



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N. ANAND VENKATESH., J

SSR

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