



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-08-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Miscellaneous Appeal No.2487 of 2026

and

C.M.P.No.19120 of 2026

The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Periyamilaguparai,
Tiruchirappalli District

..Appellant

Vs

1. Sujatha
W/o.Late Rajapandian
2. Priyadharsini
D/o.Late Rajapandian
3. Arunpandian
S/o.Late Rajapandian
4. Sundarajan
S/o.Angamuthu

..Respondents

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the award dated 05.11.2024 made in M.C.O.P.No.40 of 2024 on the file of the Chief Judicial Magistrate/Motor Accident Claims Tribunal, Thiruvarur.

For Appellant : Mr.M.Murali Vinodh

For Respondents : Mr.M.Thamizhavel [R1 to R3]



JUDGMENT

This appeal has been filed by the appellant transport corporation against the award passed by the Chief Judicial Magistrate, Motor Accident Claims Tribunal, Thiruvavarur, in M.C.O.P.No.40 of 2024 dated 05.11.2024, questioning the quantum of compensation fixed by the Tribunal.

2. The first claimant is the wife and the claimants 2 and 3 are the daughter and son of the deceased Rajapandian. The case of the claimants is that on 13.02.2024, the deceased was riding a two wheeler and was returning back home from the clinic and at about 08.30 p.m., the offending vehicle belonging to the appellant 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, sustained fatal injuries and died on the way to the hospital. A First Information Report came to be registered against the driver of the bus belonging to the appellant transport corporation in Crime No.45 of 2024. It is under these circumstances, the claim petition came to be filed before the Tribunal seeking 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 due to the rash and negligent driving on the



part of the driver of the bus belonging to the appellant transport corporation.

Having rendered the above finding, the Tribunal proceeded to determine the compensation amount in the following manner:

<i>Sl. No.</i>	<i>Compensation awarded under the head</i>	<i>Amount (in Rs.)</i>
1.	Loss of income	16,20,000/-
2.	Loss of love and affection	75,000/-
3.	Funeral expenses	15,000/-
4.	Loss of estate	15,000/-
5.	Loss of consortium	40,000/-
	Total	17,65,000/-

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 by the appellant transport corporation questioning the quantum of compensation fixed by the Tribunal.

4. Heard learned counsel for appellant and learned counsel for respondents 1 to 3. Notice to fourth respondent is dispensed with since the fourth respondent remained *ex parte* before the Tribunal. 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 monthly income of the deceased at Rs.22,500/-. This was based on the salary slip of the deceased [Ex.P6]. It is contended that the employer was not examined and only based on the salary slip, the Tribunal had fixed a very high monthly income of the deceased.

6. In the case in hand, the accident had taken place in the year 2024 and the claimants are the wife and two children of the deceased. Hence, the monthly income fixed by the Tribunal is just and reasonable. Consequently, the compensation fixed under the head 'loss of income/dependency' is perfectly in order.

7. The compensation awarded under the other heads are just and reasonable and do not require the interference of this Court.

8. The appellant transport corporation is directed to deposit the compensation of Rs.17,65,000/- awarded by the Tribunal, 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 claimants are entitled to withdraw their respective share on due application. The other directions issued by the Tribunal with regard to the mode of payment of compensation remains



unaltered. The guidelines issued by the Division Bench of this Court in C.M.A.No.2064 of 2026, dated 08.07.2026 shall be strictly complied with respect to disbursement of compensation amount to the claimants.

In the result, the Civil Miscellaneous Appeal is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

06-08-2026

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

To
The Chief Judicial Magistrate,
Motor Accident Claims Tribunal,
Thiruvavarur.



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N.ANAND VENKATESH, J.

gm

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