



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 21-07-2026**

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**THE HON'BLE MR JUSTICE N. ANAND VENKATESH**

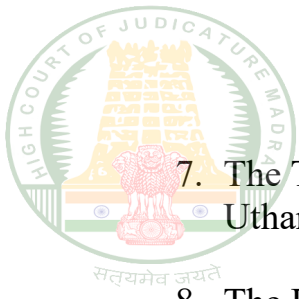
**CMA No. 3356 of 2019**

Amaravathi  
W/o. Late Raja,  
Samalpatti Village, Uthangarai Taluk,  
Krishnagiri District.

..Appellant(s)

Vs

1. The Managing Director  
Tamil Nadu State Transport Corporation Ltd.,  
Kancheepuram.
2. Tmt.Bharathi  
W/o. Late Raju,
3. Murugan  
S/o. Late Raju,  
3 & 4 residing at Ambedkar Nagar, Uthangarai  
Taluk, Krishnagiri District.
- Mariappan (Died).
4. Lakshmi  
W/o. Late Mariappan
5. Minor Sakthivel  
S/o. Late Mariappan
6. Minor Vetrivel  
S/o. Late Mariappan,  
(minor respondents 5 & 6 are represent by  
mother and Natural guardian, Lakshmi, 4<sup>th</sup>  
respondent)  
Respondents 4 to 6 are residing at Ambedkar  
Nagar, Uthangarai Taluk, Krishnagiri District.



7. The Thasildar,  
Uthangarai

8. The District Collector,  
Krishnagiri District.

..Respondent(s)

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, to set aside the fair and decreetal order passed in MCOP No.215 of 2013 dated 28.03.2018, on the file of the Special Sub Judge, MACT, Krishnagiri.

For Appellant(s): Ms. R.Durga Devi  
For M/s. S.C.Vishwanath

For Respondent(s): Mr. C.R.Sureshkumar For R1  
Mr.K.Thiruvengadam for R2 & R3

R4 - Dismissed Vide Court Order Dated  
13/02/2023

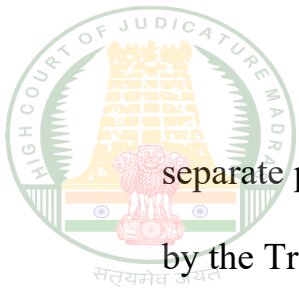
Rr5 And 6 - Minors Rep By R4

R-7 – Signed – No appearance

R-8 – Mr. B. Karthikeyan,  
Government Advocate

### **JUDGMENT**

This appeal has been filed against the award passed by the Motor Accident Claims Tribunal, Special Subordinate Judge, Krishnagiri in M.C.O.P.No.215 of 2013, dated 28.03.2018, wherein the claim petition filed by the petitioner came to be rejected by giving liberty to the claimant to initiate



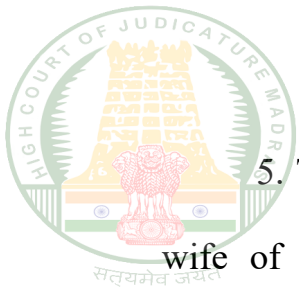
separate proceedings to recover her share in the compensation that was awarded by the Tribunal and which was received in *toto* by respondents 2 to 4.

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2. This Court heard Ms. R.Durga Devi, learned counsel appearing on behalf of the claimant and Mr. C.R.Sureshkumar, learned counsel appearing on behalf of the first respondent and Mr.K.Thiruvengadam, learned counsel appearing on behalf of the second and third respondents and Mr. B. Karthikeyan, learned Government Advocate appearing on behalf of the eighth respondent.

3. The appellant filed the claim petition under Section 163(A) of the Motor Vehicles Act, seeking compensation for the death of her husband Raja in a road accident that took place on 04.10.2005.

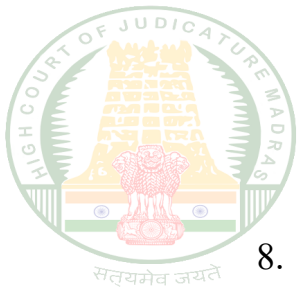
4. The petitioner claims to be the legally wedded wife of the deceased Raja. However, respondents 2 to 4 had already filed a claim petition in M.C.O.P.No.719 of 2006 before the concerned Court seeking for payment of compensation for the very same accident, and an award came to be passed by awarding compensation of a sum of Rs.2,71,000/-. The said amount was also paid to respondents 2 to 4 by the Transport Corporation.



5. The grievance of the of the appellant is that she is the legally wedded wife of the deceased Raja and the respondents have produced concocted documents and managed to collect the compensation amount. Hence, the same warranted the filing of a second claim petition by the appellant.

6. The Tribunal, after considering the facts and circumstances of the case and on appreciation of oral and documentary evidence, came to the conclusion that the appellant is the legally wedded wife of the deceased Raja and that the respondents 2 to 4 had already filed a claim petition and the compensation amount had been determined and it was also paid by the Transport Corporation. In view of the same, the second claim petition for the very same accident is not maintainable. Accordingly, liberty was granted to the appellant to initiate appropriate proceedings to recover her share of the compensation from the compensation amount that has already been received by respondents 2 to 4.

7. The above finding rendered by the Tribunal does not suffer from any illegality or perversity warranting the interference by this Court. The Tribunal was perfectly right in holding that the second claim petition cannot be entertainable for the very same accident. Accordingly, this Court confirms the award passed by the Tribunal and reconfirms the liberty granted to the appellant to initiate appropriate proceedings to recover her share from the compensation that has already been received by respondents 2 to 4.



8. This Civil Miscellaneous Appeal stands disposed of accordingly. No costs.

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**21-07-2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To:

1. The Special Subordinate Judge,  
Motor Accident Claims Tribunal,  
Krishnagiri.

2. The Thasildar  
Uthangarai

3. The District Collector  
Krishnagiri District.

4. The Section Officer,  
V.R.Section,  
High Court of Madras.



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**N.ANAND VENKATESH J.**

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**CMA No. 3356 of 2019**

**21-07-2026**