

C.M.A.(MD)No.631 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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Reserved on : 05.06.2026

Pronounced on : 25.06.2026

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

C.M.A.(MD)No.631 of 2026
and
C.M.P.(MD)No.6568 of 2026

The Managing Director,
Tamilnadu State Transport Corporation Ltd.,
New Railway Station Road,
Kumbakonam.

... Appellant/
Respondent

Vs.

1.Ubakaranathan

2.Minor.Jemima

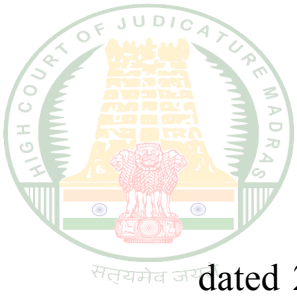
3.Minor.Jeba Samuvel

4.Minor.Jaysindha

*(Minor respondents 2 to 4 are represented by
Father / Guardian Ubakaranathan)*

... Respondents/
Petitioners

Prayer : This Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicle Act, to set aside the order made in M.C.O.P.No.494 of 2024



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dated 26.03.2025 on the file of the Motor Accident Claims Tribunal cum
Special District Court, Thanjavur and allow the appeal with costs.

For Appellant : Mr.S.Micheal Heldon Kumar

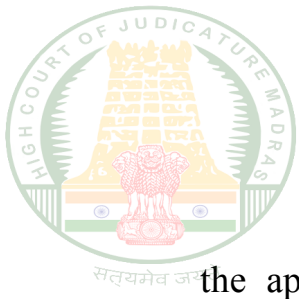
For Respondents : Mr.K.M.Karunakaran

JUDGMENT

The Civil Miscellaneous Appeal is directed against the award made in M.C.O.P.No.494 of 2024 dated 26.03.2025 on the file of the Motor Accident Claims Tribunal / Special District Court dealing with MCOP cases, Thanjavur.

2. The appellant / Transport Corporation, who was mulcted with liability to pay compensation of Rs.15,50,100/- (Rupees Fifteen Lakhs Fifty Thousand and One Hundred only) with interest at 7.5% per annum and costs payable to the respondents / claimants, for the death of Kiruba, consequent to an accident occurred on 11.07.2023, challenged the liability fastened on it.

3. The case of the respondents / claimants is that on 11.07.2023 at about 09.20 p.m., the deceased Kiruba was travelling in a bus belonging to



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the appellant / Transport Corporation bearing Registration No.TN-68-N-0538 from Trichy to Pudhukudi and when the bus stopped at the Pudhukudi Samathuvapuram bus stop, the deceased while alighting from the bus, the bus driver suddenly drove the bus in a rash and negligent manner and as a result of which, the said Kiruba fell down, sustained serious injuries and died on the spot itself and that the accident occurred only due to the rash and negligent driving of the bus driver.

4. The defence of the appellant / Transport Corporation is that the deceased had informed the conductor of the bus that she intended to alight at Pudhukudi and before the conductor could communicate the same to the driver of the bus, the deceased attempted to alight from the moving bus, lost her balance and fell down, thereby inviting the accident and that the accident occurred only due to the carelessness and negligence of the deceased and the bus driver was not at fault.

5. The respondents / claimants, in order to prove the mode of accident as stated by them, examined P.W.2 Sakthivel an alleged occurrence witness. P.W.2, in his evidence, has narrated the manner in



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which the accident was occurred and according to him, while the deceased was alighting from the bus, the bus driver drove the bus in a rash and negligent manner and as a result of which, the deceased fell down from the bus and sustained fatal injuries.

6. It is pertinent to note that an FIR in Crime No.169 of 2023 was registered under Sections 279 and 304(A) IPC against the bus driver.

7. The appellant / Transport Corporation, in an attempt to prove their defence, examined its bus driver Sekar as R.W.1, who reiterated the case canvassed in the counter statement. According to R.W.1, even before the bus come to a complete halt at the bus stop, the deceased attempted to alight from the running bus and invited the accident. As rightly observed by the learned trial Judge, R.W.1, being the driver of the bus, could not have witnessed the said occurrence. Admittedly, the appellant / Transport Corporation has not chosen to examine the conductor of the bus, who is the competent witness to depose about the occurrence. Moreover, they have also not chosen to examine any independent eye witness in support of their version. The Tribunal, considering the evidence available on



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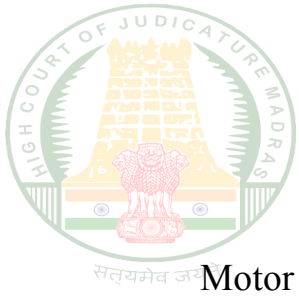
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record, has come to the conclusion that the accident was occurred only due to the rash and negligent driving of the bus driver and the same cannot be found fault with.

8. The learned counsel appearing for the appellant / Transport Corporation would submit that they are not challenging the quantum of compensation awarded at, by the Tribunal.

9. The appellant / Transport Corporation has not canvassed any other reason or ground to impugn the award. Consequently, this Court concludes that the appeal is devoid of merits and the same is liable to be dismissed. Considering the other facts and circumstances, this Court, further decides that the parties are to be directed to bear their own costs.

10. In the result, the Civil Miscellaneous Appeal is dismissed. The appellant / Transport Corporation is directed to deposit the entire compensation amount as awarded by the Tribunal with interest and costs from the date of petition till the date of realization excluding the default period, if any, to the credit of M.C.O.P.No.494 of 2024 on the file of the



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Motor Accident Claims Tribunal / Special District Court dealing with MCOP cases, Thanjavur, after deducting the amount already deposited if any, within a period of four weeks from the date of receipt of a copy of this judgment. On such deposit being made, the respondents / claimants are permitted to withdraw their shares as per the apportionment fixed by the Tribunal together with interest and costs, less amount already withdrawn, if any, on due application before the Tribunal. Consequently, connected miscellaneous petition is closed. Parties are directed to bear their own costs.

25.06.2026

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
csm

To:

1. The Special District Judge,
Motor Accident Claims Tribunal,
Thanjavur.
2. The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

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Pre-Delivery Judgment made in
C.M.A.(MD)No.631 of 2026
and
C.M.P.(MD)No.6568 of 2026

Dated : 25.06.2026