

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2015

CORAM :

THE HONOURABLE MS.JUSTICE K.B.K.VASUKI

CMA.No.1566 of 2015
and MP.No.1 of 2015

The Managing Director,
Tamil Nadu State Transport Corporation
(VPM) Limited, No.3, 137, Salamedu
Vazhudhareddy Post, Villupuram ... Appellant/Respondent

Vs

K.Saravanan ... Respondent/Petitioner

Prayer:- Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicle Act, 1988 to set aside the judgment and decree passed by the Motor Accident Claims Tribunal, Special Sub Judge, Krishnagiri made in MCOP.2136 of 2013 dated 08.01.2014.

For Appellant : Mr.P.Paramasiva Doss

JUDGMENT

The Tamil Nadu State Transport Corporation is the appellant herein. The present appeal is filed against the award of compensation of Rs.2,37,838/- to the injured claimant.

2.The Tribunal has awarded the compensation under the following heads :

Permanent disability	:	1,00,000/- (50% x 2000rupees)
Pain and sufferings	:	25,000/-
Medical Expenses	:	44,338/-
Future Medical expenses	:	20,000/-
Transportation	:	20,000/-
Nutrition	:	10,000/-
Attender charges	:	5,000/-
Partial loss of income	:	13,500/-

2,37,838/-

3.The learned counsel for the appellant has in this appeal questioned the correctness of the quantum of compensation of Rs.20,000/- awarded for future medical expenses. Whereas the Tribunal has in Sub Para (iii) of Para 8 has clearly discussed about

the nature of the injuries sustained by the claimant and the physical sufferings, that being undergone by him due to the fracture sustained by him and his inability to lift his right shoulder above 60degree without pain and his inability to do the daily works as before. That is why, the Tribunal has ascertained the disability of the claimant as 50%. Considering the nature of the injuries and the present physical condition of the claimant, the Tribunal has rightly arrived at a conclusion that the claimant may require future treatment and rightly awarded the reasonable amount of Rs.20,000/- for future medical expenses. This Court finds no error or infirmity in the same. As there is no other ground made out to interfere with the compensation awarded, the appeal is not liable to be entertained.

4.In the result, the civil miscellaneous appeal is dismissed. Time for depositing the amount is four weeks from the date of receipt of copy of this judgment. On such deposit, the claimant is permitted to withdraw the entire award amount with interest, on due application. No costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CSIV)
dt:06/10/2015

True Copy

Sub-Assistant Registrar

tsh

To

The Motor Accident Claims Tribunal,
Special Subordinate Judge, Krishnagiri

+1 cc to Mr.P.Paramasivadoss, Advocate sr.41466

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