



C.M.A.No.2213 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2022

C O R A M

THE HONOURABLE Ms.JUSTICE P.T.ASHA

C.M.A.No.2213 of 2022
and C.M.P.No.17117 of 2022

The Managing Director
Tamil Nadu State Transport Corporation Ltd.,
Bharathipuram,
Dharmapuri – 636 705 .. Appellant / Respondent

-Vs.-

1. Kuppammal
2. Valarmathi
3. Ravi .. Respondents / Petitioners

Prayer: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the judgment and decree dated 08.09.2021 made in M.C.O.P.No.62 of 2020 on the file of the Motor Accident Claims Tribunal / Special District Court, Krishnagiri.

For Appellant : Mr.D.Raghu



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JUDGMENT

The respondents had filed the above M.C.O.P seeking compensation for the death of one Govindhan in a road accident that had taken place on 07.10.2015. They had claimed a sum of Rs.40,00,000/- stating that the deceased was engaged in the business of agriculture and mango vending and was earning a monthly income not less than a sum of Rs.25,000/-.

2. The Tribunal held negligence with the driver of the appellant-Transport Corporation and awarded a sum of Rs.4,86,000/- as compensation. The Tribunal had fixed the age of the deceased at 65, taking into account the Death Certificate marked as Ex.P3. The Tribunal had taken the notional monthly income at Rs.6,000/-, and after deducting 1/3rd towards personal expenses, ultimately arrived at a sum of Rs.3,36,000/- under the head of loss of dependency. Thereafter, the requisite amounts have been granted under the heads of loss of estate, funeral expenses and loss of consortium and a total sum of Rs.4,86,000/- was awarded. The Transport Corporation is aggrieved by the said compensation.



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3. Heard the learned counsel for the appellant-Transport Corporation, when the matter is listed today for admission.

4. A perusal of the Award of the Tribunal would clearly indicate that the compensation that has been awarded is very reasonable. The Tribunal has only fixed a sum of Rs.6,000/- as notional income and arrived at the loss of dependency. The amounts granted under the heads are well within the parameters and reasonable and therefore, I see no reason to set aside the Award passed by the Tribunal below. Accordingly, the Civil Miscellaneous Appeal is closed.

02.11.2022

srn

To

1. The Motor Accident Claims Tribunal / Special District Court,
Krishnagiri.
2. The Section Officer, V.R.Section, High Court of Madras,
Chennai.



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P.T.ASHA, J.,

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