



CMA.No.252 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2024

CORAM:

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

C.M.A.No.252 of 2023

Janarthanan

... Appellant

VS.

The Managing Director,
Tamilnadu State Transport Corporation Ltd.,
(Villupuram Division)
No.3/137, Salamedu Vazhuthareddy,
Villupuram - 605 602.

... Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Award, dated 30.03.2022 in M.C.O.P.2425/2015 on the file of the Motor Accident Claims Tribunal, I Additional District & Sessions Judge, Cuddalore.

For Appellant : Mrs.Ramya V.Rao

For Respondent : Mr.S.S.Santhosh Kumar

J U D G M E N T

The appellant is the claimant in M.C.O.P.No.2425/2015 on the file of the Motor Accident Claims Tribunal, Cuddalore. He filed the claim



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petition under Section 166 (1) of the Motor Vehicles Act, 1988, seeking compensation of Rs.10,00,000/- for the injuries sustained by him in a road accident which happened on 06.06.2015.

2. The brief case of the appellant / claimant is as follows :

On 06.06.2015, Janarthanan was riding a bicycle on Semakottai-Salem National highways. When he was nearing Government High School at Semakottai, a bus bearing Registration number TN-32-N-4054 belonging to the Tamilnadu State Transport Corporation, hit the bicycle, as a result of which, the claimant sustained injuries all over his body.

3. According to the claimant, the rash and negligent driving of the driver of the bus bearing Registration Number TN-32-N-4054 belonging to the respondent Transport Corporation was the cause of the accident and therefore, the respondent is liable to pay compensation to them.

4. The Tribunal, after analysing the evidence on record,



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fastened negligence on the part of the driver of the bus belonging to the respondent and awarded compensation of Rs.25,000/- together with interest at the rate of 7.5% per annum from the date of petition till the date of realisation, vide its orders dated 30.03.2022.

5. Aggrieved over the quantum of compensation awarded by the Tribunal, the appellant / claimant has filed the present appeal under Section 173 of the Motor Vehicles Act.

6. Heard Mrs.Ramya V.Rao, learned counsel appearing for the appellants and Mr.S.S.Santhosh Kumar, learned counsel for the second respondent.

7. A perusal of the records shows that the injuries sustained by the claimant are simple in nature and therefore, the amount of Rs.25,000/- awarded by the Tribunal, cannot be said to be on the lower side.

8. In the result,



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- i. The Civil Miscellaneous Appeal is dismissed. No costs.
- ii. The Award passed in M.C.O.P.2425/2015, dated 30.03.2022 by the Motor Accident Claims Tribunal, I Additional District & Sessions Judge, Cuddalore, is upheld.

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

To

1.The Motor Accidents Claims Tribunal,
I Additional District & Sessions Judge, Cuddalore.

2.The Section Officer, VR Section,
Madras High Court, Chennai.



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R.HEMALATHA, J.

vum

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