



Rev. Appl.No.242 of 2024
in C.M.A.No.1657 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2024

CORAM:

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

Review Application No.242 of 2024
in C.M.A.No.1657 of 2024

1. S.Anuradha
2. K.Sivakumar
3. S.Muralidharan

... Appellants

vs.

1. M/s.General Connectors India Pvt. Ltd.,
No.306, Cuddalore Road, Mudaliarpeta,
Mouruungapakkam, Pondicherry - 605 004.

2. TATA AIG General Insurance Company Limited,
2nd Floor, Samson Towers,
No.403, L, Pantheon Road,
Egmore, Chennai - 600 008.

...Respondents

PRAYER: Review Application filed under Order 47 Rule 1 & 2 read with 114 of Civil Procedure Code, 1908, to review the Judgement passed in C.M.A.No.1657 of 2024, dated 05.08.2024.

For Appellants : Mr.K.Ayyadurai

For R2 : Mr.J.Michael Visuvasam



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ORDER

The Review application is filed seeking to rectify the calculation error which crept in while computing compensation in C.M.A.No.1657 of 2024.

2. This Court in C.M.A.No.1657 of 2024 while enhancing the compensation awarded by the Tribunal had wrongly deducted 10% of contributory negligence on the part of the rider of the deceased and the same is corrected in the present application as shown in the following tabular column:

<i>S.No</i>	<i>Description</i>	<i>Amount awarded by Tribunal (Rs)</i>	<i>Amount awarded by this Court (Rs)</i>	<i>Award confirmed or enhanced or granted or reduced</i>
1.	Loss of Dependency	22,68,000	25,70,400	Enhanced
2.	Loss of Estate	15,000	15,000	confirmed
3.	Loss of Consortium (Rs.40,000/- (each) x 2)	80,000	80,000	confirmed
4.	Funeral Expenses	15,000	15,000	confirmed



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S.No	Description	Amount awarded by Tribunal (Rs)	Amount awarded by this Court (Rs)	Award confirmed or enhanced or granted or reduced
5.	Transport Charges	10,000	10,000	confirmed
	Total	Rs.23,88,000/- after deducting 10% contributory negligence, it comes to 21,49,200 rounded off to 21,50,000	Rs.26,90,400/-	Enhanced by Rs.5,40,400/-

3. In the result,

- i. The Review Application is allowed. No costs.
- ii. The orders passed by Tribunal fixing 10% contributory negligence on the part of the deceased is set aside.
- iii. Registry is directed to rectify the error which crept in the Judgment dated 05.08.2024 in C.MA.No.1657 of 2024 and issue fresh order copy.



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iv. Thus the correct compensation awarded is Rs.26,90,400/- and not
Rs.24,21,360/-.

v. The other terms and conditions remain the same.

20.09.2024

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

To

1.The Motor Accidents Claims Tribunal,
Chief Judge, Small Causes Court, Chennai.

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



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R.HEMALATHA, J.

mtl

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