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CMA No. 1685 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-07-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 1685 of 2025

1. KALAIVANI

W/o. Ananda Bhaskar, No.1, M.S.K.
Street, Madhi Azhaga Nagar,
Saligrammam, Chennai - 600 088.

Appellant(s)

Vs

The State Transport Corporation
Limited
Rep. by its Managing Director, Tanjore
Division, Tanjore.

Respondent(s)

CMA No. 1685 of 2025

PRAYER

To enhancing the compensation awarded in the decree and judgement dated 24-01-2023 passed in MCOP.No.60 of 2007, on the file of the MACT (V Judge, Court of Small Causes, at Chennai).

CMA No. 1685 of 2025

For Appellant(s): Mr.Amar D. Pandiya



For Respondent(s): Mr.M.Murali Vinodh

JUDGEMENT

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This Civil Miscellaneous appeal has been filed for enhancing the compensation awarded in the decree and judgement dated 24-01-2023 passed in MCOP.No.60 of 2007, on the file of the MACT (V Judge, Court of Small Causes, at Chennai)(in short "tribunal").

2. The brief facts of the case:

On 13.06.2006 at about 02.30 p.m., while the claimant was travelling in the car bearing No. PY 01 W 6263 along with others on Chinnakadai Street, near Bathrakaali Amman Koil Street, Thiruvudaimarudur proceedings towards Kumbakonam while crossing the fire services of Thiruvudaimarudur Fire Service Station and by that time, STC bus bearing No. TN 49 N 1145 driven by the driver in a rash and negligent manner hit car thereby the claimant sustained injuries. Hence, the claimant filed the petition before the tribunal claiming compensation. The respondent contested the case by filing counter. On considering the oral and documentary evidence the Tribunal awarded a sum of Rs.4,03,847/- as compensation. Challenging the quantum of



compensation, the claimant preferred this appeal.

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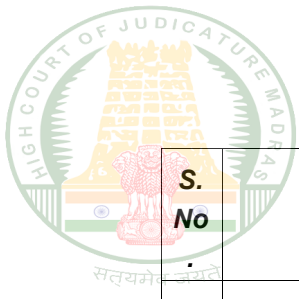
3. The learned counsel for the claimant submits that the claimant sustained multiple injuries but the tribunal awarded very meagre amount.

Hence, he prays to enhance the compensation.

4. The learned counsel for the respondent submits that the tribunal has rightly awarded the compensation which needs no interference.

5. Considering the fact that the accident was happened in the year 2007 but the tribunal fixed a sum of Rs.2,000/- per percentage for disability, which is meagre. Hence, this Court is inclined to enhance a award from Rs.2,000/- to Rs.4,000/- per percentage of disability. Accordingly, the claimant is entitled to (40x4000) 1,60,000/- and Rs.30,000/- for pain and sufferings. The tribunal has rightly awarded amount for other heads which needs no interference.

S. No	Heads	Compensation awarded by the tribunal	Compensation awarded by this Court
1.	Disability	Rs.80,000/-	Rs.1,60,000/-
2.	Medical Expenses	Rs.2,53,347/-	Rs.2,53,347/-
3.	LOSS OF INCOME	Rs..10,000/-	Rs..10,000/-
4.	Pain and sufferings	Rs.15,000/-	Rs.30,000/-
5.	Transportation charges	Rs.6,000/-	Rs.6,000/-
6.	Nutrition expenses	Rs.10,000/-	Rs.10,000/-



S. No	Heads	Compensation awarded by the tribunal	Compensation awarded by this Court
7.	Damages to cloths	Rs.500/*	Rs.500/-
8.	Attender charges	Rs.9,000/-	Rs.9,000/-
9.	Loss of Amenities	Rs.10,000/-	Rs.10,000/-
10.	Mental Agony	Rs.10,000/-	Rs.10,000/-
	Total	Rs.4,03,847/-	Rs.4,98,847/-

6. As discussed above, the claimant/appellant herein is entitled to **Rs.4,98,847/-**. The second respondent/Transport Corporation is directed to deposit the said amount to the credit of **MCOP.No.60 of 2007, on the file of the MACT (V Judge, Court of Small Causes, at Chennai).**, with the interest of 7.5% per annum from the date of petition till payment within a period of eight weeks from the date of receipt of a copy of this judgment. If any amount was deposited before the tribunal, the respondent shall deposit the remaining amount after deducting the deposited amount. On such deposit, the claimants are permitted to withdraw the said amount by filing appropriate application before the tribunal.



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7. With the above directions, this Civil Miscellaneous appeal is partly

allowed. No Costs. Pending petition(s), if any, is/are closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

1. The State Transport Corporation
Limited
Rep. by its Managing Director, Tanjore
Division, Tanjore.
2. The MACT (V Judge, Court of Small
Causes, at Chennai).



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T.V.THAMILSELVI J.
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