



C.M.A.No.66 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

C.M.A.No.66 of 2025

S.Logesh

...Appellant

Vs.

1.B.Kriubakaran

2.The Oriental Insurance Company Limited,

Motor Third Party Claims Hub,

Oriental House, 2nd Floor, Old No.115, New No.216,

Prakasam Salai, Broadway,

Chennai – 600 104.

...Respondents

Prayer : Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the order made in M.C.O.P.No.1002 of 2018, dated 07.11.2024, on the file of the Motor Accident Claims Tribunal (In the IV Court of Small Causes, Chennai).

For Appellant : Mr.K.Balaji



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For Respondent : R1 – No appearance

Mr.J.Chandran for R2

ORDER

Today, the matter is listed under the caption "for being mentioned", at the instance of the learned counsel for the appellant.

2.It is brought to the notice of this Court that some typographical error has been crept in Paragraph No.12,13 and 14 of the Order dated 30.07.2025. The said Paragraph No.12,13 and 14 are to be replaced as follows:

12.Considering the age, year of the accident and nature of the injuries sustained by the appellant and the submission made by the learned counsel for the appellant, this Court is inclined to apply the multiplier method and accordingly, awarded the compensation under the following heads:

(Rs.500 per day x 30 days = Rs.15,000 + 40%

future prospects = Rs.6,000 = Rs.15,000+Rs.6,000 =

Rs.21,000/- x 18 x30% x 12= Rs.13,60,800/-)



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S.No.	Description	Amount awarded by this Court (in Rs.)
1	Pain and suffering	25,000/-
2	Loss of amenities	25,000/-
3	Transportation	10,000/-
4	Extra nourishment	10,000/-
5	Loss of Income	13,60,800/-
	Total	14,30,800/-

13.The appellant/claimant is entitled to total compensation of Rs.14,30,800/- along with interest at the rate of 7.5% p.a. from the date of petition till the date of realization. In the total compensation, this Court is inclined to fix 70% (Rs.14,30,800 x 70 /100 =10,01,560/-) contributory negligence on the part of the first respondent and 30% (Rs.14,30,800 x 30 /100 =4,29,240/-) contributory negligence on the unknown lorry. Since the first respondent's vehicle was insured with the second respondent at the time of the accident, the respondent shall pay the same.

14.The second respondent Insurance Company is directed to deposit 70% of the amount awarded i.e Rs. 10,01,560/- by this Court before the Tribunal within a period of 8 weeks from the date of receipt of a copy of this judgment. On such deposit being made, the appellant/claimant is permitted to withdraw the amount along with accrued interest and proportionate costs, after deducting the amount already withdrawn, if any, on making proper and necessary application before the Tribunal.



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3. Registry is directed to make out the necessary correction in the order copy and issue fresh order copy to the parties forthwith.

4. In other respects, the order dated 30.07.2025 shall remain unaltered.

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Index: Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

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T.V.THAMILSELVI, J.

smn

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