



C.M.A.No.116 of 2023

C.M.A.No. 116 of 2023

WEB CO **T.V.THAMILSELVI, J.**

This matter was taken up for hearing under the caption “For Being Mentioned” today at the instance of the learned counsel for the appellant.

2. The learned counsel for appellant would submit that this Court by Judgment dated 09.06.2025 partly allowed the above Civil Miscellaneous Appeal. However, he would submit that the deceased 1st claimant was aged about 25 years and he was married and having legal heirs viz., wife and son. But, in the calculation column, it was mentioned that 50% of notional monthly income is to be deducted, however, the deduction of 1/3 is to be arrived. He would further submit that the tribunal has awarded compensation only with respect to medical expenses of Rs.20,140/- met out by the 1st claimant, but it was not included in the calculation. He would also submit that contributory negligence was fixed on the 1st claimant at 10%, but inadvertently, it was mentioned as 20%. He would further submit that in the order, instead of mentioning para nos. 9 to 11, it was mentioned as para nos. 10 to 12 and in para 10 of the order, the amount awarded by the tribunal was mentioned as Rs.9,36,792/- instead of mentioning as Rs.20,140 and also to mention enhanced compensation amount as Rs.28,74,730/- instead of Rs.19,95,650/-. Hence, he prayed to amend the same and requested to issue fresh order copy. Accordingly, the matter has been listed today.

3. Heard the contentions of learned counsel for appellant and perused the order.



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4. Considering his submissions, Registry is directed to substitute the calculation column in para 8 as follows :-

S.No	Compensation awarded under the head	Amount awarded by Tribunal (in Rs.)	Amount (in Rs.)	Award confirmed or granted or enhanced
1.	Compensation for Loss of dependency after multiplier of 18 is applied (As per Sarala varma case) Rs.15000/- (add 40% future prospects) = 15000 + 6000 = 21000 21000 x 12 x 18 – 1/3 = Rs.30,24,000/-	Nil	30,24,000	granted
2.	For loss of consortium (3 legal heirs)	nil	1,20,000	granted
3.	For medical expenses	20,140	20,140	confirmed
4.	For funeral expenses	nil	15,000	granted
5.	For loss of estate	nil	15,000	granted
	Total	20,140	31,94,140	
	Less : 10% contributory negligence		3,19,414	
	Net Compensation awarded		28,74,726	
	Rounded off		28,74,730	

5. Registry is directed to substitute the enhanced amount mentioned in the order in para 10 viz., “Rs.19,95,650/-” as “Rs.28,74,730/-”.



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6. Registry is also directed to substitute para nos. 10 to 12 as “**9 to 11**” and to substitute the amount mentioned in the order in para 10 viz., “Rs.9,36,792/-” as “**Rs.20,140**”.

7. Registry is directed to incorporate above correction in the judgment of this Court in C.M.A.No.116 of 2023 dated 09.06.2025 and issue fresh order copy to the appellant.

07.07.2025

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