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CMA No. 1580 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 1580 of 2025

1. SRIDHAR

S/o.Umapathy, No.15/8, Bharathiyar
Street, Teynampet, Chennai - 600 012.

Appellant(s)

Vs

1. VARALAKSHMI

D/o.S.Ravikumar, No.340, 3K, 3rd
TVH Mahanja, Velacherry Main Road,
Chennai - 600 042.

2.The United India Insurance Co. Ltd.,
T.P.Cell, No.134, Greams Road,
Chennai - 600 006.

Respondent(s)

CMA No. 1580 of 2025

PRAYER

To enhance the amount awarded in MCOP No. 4491 of 2018 on the file of
Motor Accident Claims Tribunal (In the III Judge Court of Small Causes,
Chennai)



CMA No. 1580 of 2025

For Appellant(s): U.Chithambaram

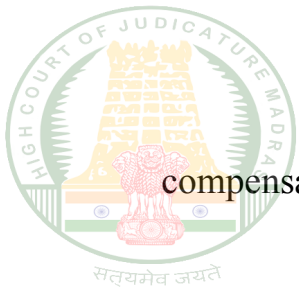
For Respondent(s): Ms.I.Malar For R2

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JUDGEMENT

This Civil Miscellaneous Appeal has been filed to enhance the amount awarded in MCOP No. 4491 of 2018 on the file of Motor Accident Claims Tribunal (In the III Judge Court of Small Causes, Chennai)(in short "tribunal").

2. On 29.06.2018 at about 06.00 hours while the deceased was riding with the claimant as pillion rider in a motorcycle bearing registration No. TN 14 B 3661 from Chennai to Pondicherry, at ECR Road, near Thenpattinam Village, at that time car bearing registration No. TN 07 AF 4825 which was coming in opposite direction, driven by its driver in a rash and negligent manner dashed the deceased. Thereby, the claimant herein sustained multiple injuries and other rider died on spot. Hence, he filed the petition before tribunal claiming compensation. The respondent insurance company alone contested the case by filing counter. On considering the oral and documentary evidence, the tribunal awarded a compensation of Rs.34,97,600. Challenging the quantum of



compensation the claimant filed this appeal.

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3. The learned counsel for the appellant submits that the appellant has earned a sum of Rs.30,000/- as income but the tribunal awarded only Rs.13,000/- as income of the claimant. Further, the tribunal awarded very meagre amount in other heads. Hence, he prays to enhance the compensation.

4. The learned counsel for the respondent raised strong objection to enhance the compensation and also stating that the tribunal has erroneously fixed award for loss of earnings which would not arise and the same has to be deleted.

5. Considering the facts and circumstances of the case and also the fact that the accident was happened in the year 2018 and also considering the education qualification of the claimant. This Court is inclined to enhance the income of the claimant from Rs.13,000/- to Rs.17,000/-. Accordingly, the claimant is entitled to Rs.30,84,480/- under the head of disability. Further, the tribunal has awarded amount for loss of earnings, which is ordered to be deleted. Except above modification, the award passed by the tribunal in other



heads remain unchanged.

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6. In view of the discussions made earlier, the award passed by the Tribunal is modified as follows:-

S.No.	Head	Compensation awarded by the Tribunal	Compensation awarded by this Court
1.	Pain and sufferings	Rs.80,000/-	Rs.80,000/-
2.	Loss of earnings	Rs.39,000/-	Nil
3.	Medical Expenses	Rs.9,43,753/-	Rs.9,43,753/-
4.	Transportation expenses	Rs.4,000/-	Rs.4,000/-
5.	Extra Nourishment	Rs.10,000/-	Rs.10,000/-
6.	Attender charges	Rs.11,100/-	Rs.11,100/-
7.	Damages to cloths and article	Rs.1,000/-	Rs.1,000/-
8.	Lost of amenities	Rs.50,000/-	Rs.50,000/-
9.	For permanent disability	Rs.23,58,720/-	Rs.30,84,480/-
10	Total	Rs.34,97,400/-	Rs.41,84,333/-
		Rounded off to	Rs.41,84,400/-

7. Therefore, the compensation payable to the claimant is enhanced to Rs.41,84,333/-. The second respondent/Insurance company is directed to deposit the said amount to the credit of MCOP No. 4491 of 2018, on the file of Motor Accident Claims Tribunal (In the III Judge Court of Small Causes, Chennai), within a period of eight weeks from the date of receipt of a copy of



this judgment. On Such deposit, the claimant is permitted to withdraw the award amount by making formal application before the Tribunal.

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8. With the above directions, the Civil Miscellaneous Appeal is partly allowed. No costs. Pending miscellaneous petition(s), if any, is/are closed.

24-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

1.VARALAKSHMI

D/o.S.Ravikumar, No.340, 3K, 3rd
TVH Mahanja, Velacherry Main Road,
Chennai - 600 042.

2.The United India Insurance Co. Ltd.,
T.P.Cell, No.134, Greams Road,
Chennai - 600 006.

3. The Section Officer, V.R
Section,High Court, Madras.

4. The Motor Accident Claims Tribunal
(In the III Judge Court of Small Causes,
Chennai)



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T.V.THAMILSELVI J.
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