



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-08-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 1626 of 2025

and

CMP.No.14315 of 2025

1. The Managing Director
Tamil Nadu State Transport
Corporation,
3/317, Salamedu,
Vazhuthareddy, Villupuram.

Appellant(s)

Vs

1. R.Karuppusamy
S/o.Ramasamy, No.1/20B, North Street,
Saaththanatham, Tittagudi Taluk.

2.S.Viswanathan
S/o.Sabapathi, No.2/150A, Kumuzhi,
Sendurai Tk., Ariyalur Dist - 621 714.

3.The United India Insurance Co.Ltd.,
13-A, Nethaji Road, Manjakuppam,
Cuddalore - 1.

Respondent(s)



PRAYER

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, praying to set aside the Judgement that has been passed in this matter by the Motor Accident Claims Tribunal (Special Sub-Judge) at Cuddalore, in MCOP N.3509 of 2018 dated 07-11-2023.

For Appellant(s): Mr.T Chandrasekaran

For Respondent(s): Mr.J.Michael Visuvasam For R3
Ms.Ramya V Rao For R1
R2 - No Appearance

JUDGMENT

The appellant has filed this appeal praying to set aside the Judgment, made in MCOP N.3509 of 2018 dated 07-11-2023, passed by the learned Motor Accident Claims Tribunal (Special Sub-Judge) at Cuddalore.

2. The learned counsel for the appellant raised objections stating that the amounts awarded by the Tribunal towards pain and suffering and loss of income are highly exaggerated and therefore require modification.

3. On the other hand, the learned counsel for the claimant submitted that the claimant, while travelling as a passenger in the bus at the time of the



accident, sustained grievous head injuries, underwent surgery, and continued to take treatment for several months. He was hospitalized for 10 days following the accident.

4. Upon considering the submissions made on both sides and on perusal of the medical records, it is seen that the claimant, who was a passenger in the transport bus, sustained a fracture and underwent surgery. The Medical Board has assessed the permanent disability at 25%. Considering the nature of the injury and the surgery undergone, the Tribunal awarded a sum of Rs.85,000/- towards pain and suffering, which is reasonable and requires no interference. The other heads of compensation are also found to be just and proper.

5. Accordingly, the findings and award passed by the Tribunal are confirmed. The Civil Miscellaneous Appeal filed by the appellant / Tamil Nadu State Transport Corporation stands dismissed. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.



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6. The appellant is directed to deposit the entire award amount, if not already deposited, within a period of eight (8) weeks from the date of receipt of a copy of this order. The claimant is permitted to withdraw the amount as per the apportionment made by the Tribunal, after following due process of law.

21-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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1.The Motor Accident Claims Tribunal
(Special Sub-Judge) at Cuddalore.

2.The Section Officer,
VR- Section, High Court of Madras.

3.The United India Insurance Co.Ltd.,
13-A, Nethaji Road, Manjakuppam,
Cuddalore - 1.



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T.V.THAMILSELVI J.
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