



C.M.A.No.3520 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2025

CORAM:

THE HONOURABLE **Mrs. JUSTICE R.KALAIMATHI**

C.M.A.No.3520 of 2021

and

CMP.No.20379 of 2021

The Manager,
M/s.United India Insurance Co., Ltd.,
Armenian Street, Chennai-53.

... Appellant

vs.

1.Mahalakshmi
2.Jayakumar

... Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, against the Award and decree dated 24.09.2020 passed in M.C.O.P.No.56 of 2008 on the file of the Motor Accident Claims Tribunal, Additional Subordinate Court, Krishnagiri District, Chengalpattu.

For Appellant : Mr.S.Arunkumar

For Respondents : No Appearance



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JUDGMENT

This Civil Miscellaneous Appeal has been preferred by the Insurance Company against the Award dated 24.09.2020 made in M.C.O.P.No.56 of 2008 by the Motor Accident Claims Tribunal/ Additional Subordinate Court, Chengalpattu on the liability issue.

2. Parties are indicated herein as per their litigative status and ranking before the Tribunal.

3. The claimant filed a claim petition under Section 166 of the Motor Vehicles Act, 1988, claiming compensation of Rs.20,00,000/- for the injuries sustained in a road traffic accident that took place on 24.10.2006.

4.The Tribunal upon consideration of case records, granted compensation of Rs.1,23,100/- with interest at the rate of 7.5% per annum from the date of filing of claim petition, fastening liability upon on the second respondent to pay compensation to the claimant herein.

5. Despite the receipt of notice, neither the respondents no.1 & 2



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appeared nor entered through their counsel.

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6. The learned counsel for the appellant/Insurance Company would argue that the claimant is a pillion rider travelling on a motor cycle. It is further contended that rider of the motor cycle did not possess a valid driving license at the relevant point of time.

7. On perusal of the counter, it has been stated that the license was not produced by the owner of the vehicle. To substantiate the above said details, the Officer of the Insurance Company has been examined as RW1. He would state that the rider has no valid driving license at the time of accident. Therefore, the rider violated the terms of policy condition. Hence, the second respondent is not liable to pay compensation to the claimant.

8. On perusal of the counter, the said details were not adverted to by the Tribunal. Therefore, such a plea, put forth only in the appeal, is not tenable in law.

9. This Court does not find any infirmity or perversity of the findings of the Tribunal. This Court also does not find any good reason



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to upset the findings of the Tribunal.

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R.KALAIMATHI, J.

kkd

10. In view of the aforesaid narrated, Civil Miscellaneous Appeal stands dismissed. Sequel to this, the Award dated 24.09.2020 passed by the Motor Accident Claims Tribunal, Additional Subordinate Court, Chengalpattu in M.C.O.P.No.56 of 2008 stands confirmed. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Speaking / Non-speaking order
kkd

To:

The Motor Accident Claims Tribunal,
Additional Subordinate Court,
Chengalpattu.

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