



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2025

CORAM

THE HONOURABLE MRS. JUSTICE R. KALAIMATHI

**C.M.A.NO.3359 OF 2025 &
CMP.No.27613 of 2025**

The Managing Director,
The Tamil Nadu State Transport
Corporation Ltd.,
No.12, Ramakrishna Road,
Division-(2), Bharathipuram,
Dharmapuri District

....

Appellant

Vs

1. Murugammal
2. Rani
3. Kalpana
4. Manikandan

....

Respondents

Prayer: Civil Miscellaneous Appeal filed under section 173 of the Motor Vehicles Act, 1988 against the decree and judgment passed in MCOP.No.608 of 2016 dated 12.01.2024 on the file of the Motor Accidents Claims Tribuna, Dharmapuri for a change in the quantum of compensation.

For Appellant : Mr.D. Nitin

JUDGMENT

This Civil Miscellaneous Appeal has been preferred by the sole Respondent/TNSTC against the Award dated 12.01.2024 passed in MCOP.No.608 of 2016 by the Exclusive Motor Accidents Claims Tribunal, Dharmapuri for a change in the quantum of compensation.



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

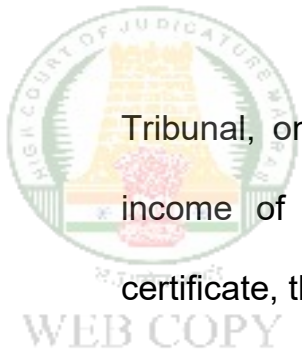
3. The legal heirs of deceased Kannan filed a claim petition under section 156 of the Motor Vehicles Act seeking compensation of Rs.20,00,000/- for the death of the above said person, due to the injuries sustained on account of the road traffic accident that took place on 04.04.2016.

4. The Tribunal upon consideration of evidence, granted compensation of Rs.15,82,500/- with 7.5% interest per annum from the date of filing of claim petition.

5. The amounts granted by the Tribunal under various heads are as follows:

S. No.	Heads	Amount
1	Towards loss of dependency	Rs. 14,17,500/-
2	For loss of consortium	Rs. 44,000/-
3	For loss of love and affection	Rs. 88,000/-
4	For loss of estate	Rs. 16,500/-
5	For funeral expenses	Rs. 16,500/-
	Total	Rs. 15,82,500/-

5. It is the evidence of PW1 that the deceased was a flower vendor and he was earning a sum of Rs.15,000/- per month. To substantiate the same, no document was marked by the claimant side. The date of the accident is 04.04.2016. The



Tribunal, on consideration of age of the deceased, date of the accident, fixed the income of the deceased at Rs.9,000/- per month. As per Ex.P.2-post mortem certificate, the age of the deceased is taken as 45 years.

6. As per the law laid down by the Hon'ble Supreme Court in **Sarla Verma Vs Delhi Transport Corporation and others (2009) 2 TNMAC 1 SC**, the relevant multiplier to be taken is 14m. As the claimants are four in number, for personal and living expenses 1/4th has to be deducted. As held in **National Insurance Company Vs. Pranay Sethi (2017) 2 TNMAC 609 SC**, the Honourable Supreme Court has standardised the details of future prospectus. In this case, 25% has to be added for future prospectus while computing the loss of dependency. Accordingly, loss of dependency is computed as follows:

$$\text{Rs.9000} + 25\% - \frac{1}{4} \times 12 \times 14\text{m} = \text{Rs.14,17,584/-}$$

The notional income fixed by the tribunal also appears to be reasonable and it does not call for interference by this Court. Hence, the same is confirmed. As regards the other heads, the amounts awarded by the Tribunal appears to be reasonable and acceptable and hence, it does not warrant any interference by this Court.

8. Based on the aforesaid observation, the Civil Miscellaneous Appeal stands rejected at the admission stage itself. Consequently the connected miscellaneous petition is closed. No costs.

Neutral Citation:yes/no
msr

13.11.2025



To

The Exclusive Motor Accidents Claims Tribunal,
Dharmapuri.

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R. KALAIMATHI,J.

msr

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