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C.M.A.No. 1344 of 2025

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 06.06.2025 partly allowed the above Civil Miscellaneous Appeal. However, he would submit that in paras 8 and 9 of the judgment, the calculation arrived for awarding compensation needs to be modified. 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.

4. Considering his submissions, paras 8 and 9 of the order shall be substituted as follows :-

“8. In the instant case, the tribunal fixed a sum of Rs.7000/- per percentage of disability of 27%. Considering the fact that the petitioner is a student studying second year in B.Pharm in JKKN College and the accident was happened in the year 2022 and also



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considering the cost of living, this Court is inclined to enhance the sum awarded for per percentage of disability a Rs.7000/- to Rs.9000/-. On seeing the facts, he has undergone surgeries during the treatment period and also took treatment as outpatient for some days in various hospitals. Hence, the amount awarded by the tribunal for pain and sufferings is also to be increased from Rs.50,000/- to Rs.75,000/-. Considering the fact that during the treatment period, the petitioner required an attender, the attender charges is enhanced from Rs.20,000/- to Rs.30,000/- and the award with regard to loss of amenities is also to be increased from Rs.20,000/- to Rs.50,000/-. The compensation fixed under the others heads are reasonable and it does not require the interference of this Court. Therefore, the compensation awarded by the tribunal is modified 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.	For pain and sufferings	50,000	75,000	enhanced
2.	For medical expenses	8,23,788	8,23,788	confirmed



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S.No	Compensation awarded under the head	Amount awarded by Tribunal (in Rs.)	Amount (in Rs.)	Award confirmed or granted or enhanced
3.	For transportation	30,000	30,000	confirmed
4.	For nourishment	20,000	20,000	confirmed
5.	For Attender charges	20,000	30,000	enhanced
6.	For damages to cloths	1,000	1,000	confirmed
7.	For loss of amenities	20,000	50,000	enhanced
8.	Permanent disability	1,89,000	2,43,000	enhanced
	Total	11,53,788	12,72,788	
	Rounded of		12,72,790	

9. In the result, this Civil Miscellaneous Appeal is partly allowed and the compensation awarded by the tribunal at Rs.11,53,788/- is enhanced to Rs.12,72,790/-. Insofar as the enhanced compensation is concerned, the deficit court fee, if not paid, shall be paid by the claimants. The other directions issued by the Tribunal with regard to the mode of payment of compensation remains unaltered. The 2nd respondent insurance company is directed to deposit the enhanced compensation, less the amount already deposited, together with interest at 7.5% p.a. from the date of claim petition till the date of deposit within a period of eight weeks from the date of receipt of this judgment to the credit of M.C.O.P.No. 343 of 2023 on the file of Motor Accident Claims Tribunal,



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Special Sub-Court-I, Salem. On such deposit of the enhanced compensation amount now determined by this Court, the appellant is permitted to withdraw the enhanced award amount along with interest and costs, less the amount if any, already withdrawn. No costs.”

5. Registry is directed to incorporate above correction in the judgment of this Court in C.M.A.No.1344 of 2025 dated 06.06.2025 and issue fresh order copy to the appellant.

25.06.2025

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T.V.THAMILSELVI, J.



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C.M.A. No.1344 of 2025

25.06.2025