



C.M.A.No.1719 of 2023

C.M.A.No. 1719 of 2023

WEB CO **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 20.06.2025 partly allowed the above appeal. However, he would submit that while disposing the above appeal, the waiver of interest for the delay period was not mentioned in the judgment. Hence, he prayed to mention the same and requested to issue fresh order copy.

3. Heard the contentions of learned counsel for appellant and perused the order.

4. Considering his submissions, at the end of para 7, Registry is directed to add the words as follows :-

“Furthermore, the interest for the delay period is ordered to be waived.”

5. Registry is directed to incorporate above correction in the order of this Court in C.M.A.No.1719 of 2023 dated 20.06.2025 and issue fresh order copy to the appellant.

06.08.2025

rpp

T.V.THAMILSELVI, J.



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C.M.A. No.1719 of 2023

06.08.2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-06-2025



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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 1719 of 2023

1. K.Subramanian
S/o.Kalimuthu Chettiar, No.29/15,
Subedar Hussain Street,
Pudupakkam, Royapettah, Chennai-
600014

Appellant(s)

Vs

1. Karnataka State Road Transport
Corporation Limited
K.H.Road, Shanthi Nagar,
Bangalore-560027

2.United India Insurance Corporation
Ltd.
No.134, Greams Road, Chennai-
600006

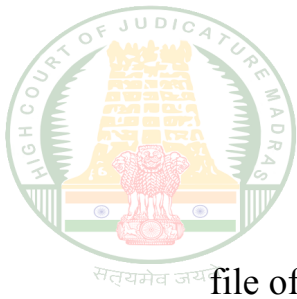
3.The Oriental Insurance Company
Ltd.
3rd party Claims Office, No.114,
Prakasam Salai, Broadway, Chennai-
1

Respondent(s)

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PRAYER

To enhance the awarded dated 21.11.2019 in MCOP.No. 3534/2009 On the



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file of Motor Accident Claims Tribunal, in the V Court of Small Causes,
Chennai.

CMA No. 1719 of 2023

For Appellant(s): K.Ayyadurai

For Respondent(s): Mr.T. Thiyagarajan For R1
Mr.S. Arunkumar For R2
Mr.J.Chandran For R3

ORDER

This Civil Miscellaneous Appeal has been filed to enhance the
awarded dated 21.11.2019 in MCOP.No. 3534/2009 On the file of Motor
Accident Claims Tribunal, in the V Court of Small Causes, Chennai.

2. The brief facts of the case:

on 13.10.2008, at about 1.30 hours, while the claimant was
travelling in the First Respondent's bus bearing Registration No.KA-07-F-
1177 from Bengaluru to Chennai and while the bus was proceeding on the
National Highway 4, near Mallappanahalli gate, the driver of the said bus
drove in a rash and negligent, dashed against another bus which also belong
to the 1st Respondent bus and thereby claimant sustained multiple grievous
injuries and he lost his right eye vision. Thereafter, the claimant filed
petition before the tribunal claiming compensation. The respondents



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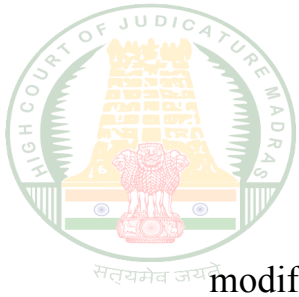
contested the case by filing counter. On considering oral and documentary evidence, the tribunal awarded a sum of Rs.23,38,884/- as compensation. Challenging quantum of compensation the claimant preferred this appeal.

3. The learned counsel for the appellant/claimant submits the claimant sustained 50% partial and 30% permanent disability. Hence, without adopting multiplier method, the tribunal adopted percentage method. Hence, he prays to enhance the compensation.

4. The learned counsel for the respondents submit that the tribunal has rightly awarded compensation which needs no interference. Hence, he prays to dismiss this appeal.

5. Heard the submission of the learned counsel for the appellant and the respondents.

6. It is an admitted fact that the claimant sustained permanent disability but the tribunal failed to adopt multiplier method. Further, the claimant was running a packaging company earned a sum of Rs.2,50,000/- per annum. Hence, this Court is inclined to fix Rs.12,000/- as notional income of the claimant and future prospects is 10%. Accordingly, the claimant is entitled to Rs.6,96,960/-{13200x12x11x40%}. Further, the award passed for loss of income is ordered to be deleted. Except above



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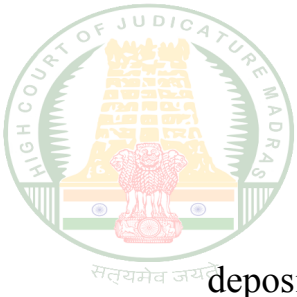
modification, other heads awarded by the tribunal remain unchanged.

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<i>S.No</i> .	<i>Head</i>	<i>Compensation awarded by the Tribunal</i>	<i>Compensation awarded by this Court</i>
1.	Pain and sufferings	Rs.1,00,000/-	Rs.1,00,000/-
2.	Loss of Income	Rs.1,32,624/-	Nil
3.	Medical Expenses	Rs.17,19,560/-	Rs.17,19,560/-
4.	Loss of dependency	Nil	Rs.6,96,960/-
5.	Extra Nourishment and transportation charges	Rs.1,00,000/-	Rs.1,00,000/-
6.	Attender charges	Rs.13,200/-	Rs.13,200/-
7.	Damages to cloths and article	Rs.1,000/-	Rs.1,000/-
8.	Lost of amenities	Rs.1,00,000/-	Rs.1,00,000/-
9.	For disability	Rs.1,72,500/-	Nil
10	Total	Rs.23,38,884/-	Rs.27,30,720/-

Rounded off to Rs.27,30,800/-

7. In view of the discussions made earlier, the compensation awarded by the Tribunal is enhanced to Rs. 27,30,800/-. The 1st respondent is directed to deposit the said amount together with interest at the rate of 7.5% per annum from the date of claim petition to the date of realisation, to the credit of MCOP.No. 3534/2009 On the file of Motor Accident Claims Tribunal, in the V Court of Small Causes, Chennai., within a period eight weeks from the date of receipt of a copy of this judgement. On such



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deposit, the appellant/claimant is permitted to withdraw the award amount by making formal application before the Tribunal.

8. With the above direction, the Civil Miscellaneous Appeal is partly allowed. No costs.

20-06-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



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To

1.Karnataka State Road Transport
Corporation Limited
K.H.Road, Shanthi Nagar,
Bangalore-560027

2.United India Insurance Corporation
Ltd.
No.134, Greams Road, Chennai-
600006

3.The Oriental Insurance Company
Ltd.
3rd party Claims Office, No.114,
Prakasam Salai, Broadway, Chennai-
1

4. The section Officer, V.R Section,
High Court.

5. The Motor Accident Claims
Tribunal, in the V Court of Small
Causes, Chennai.



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T.V.THAMILSELVI J.
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