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IN THE HIGH Court OF JUDICATURE AT MADRAS

DATED : 21.11.2025

CORAM:

THE HON'BLE MRS. JUSTICE R. KALAIMATHI

C.M.A.No.2654 of 2025

Narman Joseph

Vs.

.... Appellant

1. M/s. G. Cube go Green Global Products
Pvt. Ltd.,
No.142/4, Panagattupakkam Village,
Chengalpattu, Kancheepuram,
600 048.

2. United India Insurance Company Limited,
Motor 3rd Party Claims Hub,
1st Floor, 43/397-A,
Annai Indira Gandhi Street,
Rajajipuram-Part-II,
Thiruvallur 602 001.

... Respondents

Prayer : Civil Miscellaneous Appeal filed under sec.173 of Motor Vehicles Act, 1988 against the judgment and decree dated 05.02.2024 made in MCOP.No.123 of 2022 on the file of the Motor Accident Claims Tribunal, (Subordinate Judge), Poonamallee, Thiruvallur District.

For Petitioner : Mr.C. Prabhakaran

For Respondents : Mr. P. Sankaranarayanan for R2



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ORDER

This Civil Miscellaneous Appeal is preferred against the Award dated 05.02.2024 made in MCOP.No.123 of 2022 on the file of Motor Accidents Claims Tribunal, Sub Court, Poonamallee, Thiruvallur District by the Claimant herein for enhancement of compensation.

2. Learned counsel for the appellant would contend that the injured who was 71 years of age at the relevant point of time, on account of the accident, suffered fracture of both bone right leg and head injury. The Medical Board fixed his disability of the claimant as 10% and the compensation of Rs.5000/- per percentage granted by the Tribunal is inadequate. As regards other heads also, the amounts awarded by the Tribunal are not sufficient and sought for enhancement of compensation.

3. The learned counsel for the 2nd respondent/Insurance Company, per contra, would contend that in consideration of the age, avocation, injury details of the claimant, the Tribunal has granted reasonable compensation under various heads and sought for confirmation of the same.

4. It is the evidence of PW1/claimant that on account of the accident, he suffered fracture of both bone right leg and head injury. He was referred to



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the District Medical Board and his disability was assessed at 10% under Ex.C.1. The date of accident is 10.03.2022. As per Discharge Summary Ex.P.5 issued by Government Medical College Hospital, Thiruvallur, the injured was admitted at the abovesaid Hospital on 10.03.2022 and got discharged on 25.03.2022. He suffered Grade II fracture at both bones of his right leg, for which, wound debridement and IM Nailing was done for Tibia on 17.03.2022. In consideration of the above said details, for the disability, an amount of Rs.50,000/- is awarded.

5. As the Claimant had suffered fracture of both bones right leg, attender would have assisted him for few months. In consideration of the above said details, a sum of Rs.20,000/- is granted for attender charges. For transport charges and for extra nourishment, a sum of Rs.10,000/- is granted under each head. As regards, the other heads, amounts awarded by the Tribunal appears to be reasonable and acceptable and hence, it does not warrant any interference by this Court.

6. The amounts awarded by the Tribunal and this Court as mentioned supra after re-work is tabulated hereunder:



S.No.	Heads	Amounts awarded by the Tribunal	Amounts awarded by this Court	Amounts confirmed or enhanced or granted or reduced
1	For disability suffered	Rs.50000/-	Rs.90,000/-	enhanced
2	For transport expenses	Rs. 5000/-	Rs.15000/-	enhanced
3	For Medical expenses	Rs.4648/-	Rs.4,648/-	confirmed
4	For extra nourishment	Rs. 5000/-	Rs. 15000/-	enhanced
5	For pain and sufferings	Rs.20,000/-	Rs.20,000/-	confirmed
	Total	Rs.84,648/-	Rs.1,44,648/-	

7. Thus, this Court awards **Rs.1,44,648/-** towards compensation for the claimant along with interest at the rate of 7.5% per annum from the date of petition.

8. In the result,

- The Civil Miscellaneous Appeal is partly allowed. No costs.
- The compensation awarded by the Tribunal is enhanced from **Rs. 84,648/-** to **Rs.1,44,648/-**.
- The respondent is directed to deposit the enhanced



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compensation of **Rs.1,44,648** /- awarded by this Court to the credit of MCOP.No.123 of 2022 on the file of the Motor Accident Claims Tribunal, Subordinate Judge, Poonamallee, Thiruvallur District along with interest at the rate of 7.5% per annum from the date of petition (excluding the period of default, if any) less the amount, if any already deposited, within a period of eight weeks from the date of receipt of a copy of this judgment.

- On such deposit, the appellant/ claimant is at liberty to withdraw the award amount along with interest and costs, after adjusting the amount, if any already withdrawn, by filing relevant application before the Tribunal.
- The appellant/claimant is directed to pay the Court fee for the enhanced compensation amount, if required.
- The Tribunal shall disburse the enhanced amount upon production of the certified copy showing proof of payment of Court fee by the claimants/appellants.

msr
Index:Yes/No
Internet:Yes

21.11.2025

To
The Motor Accident Claims Tribunal,
Subordinate Judge, Poonamallee,
Thiruvallur District.



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R. KALAIMATHI, J.

msr

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