



WEB COPY

CMA No. 1145 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 1145 of 2025

1. T.Harikrishnan

S/o. Late Thulasingham, No. 495, 1st
Street, Indirapuri, S.Kolathur,
Kovilambakkam, Chennai 600 117.

Appellant(s)

Vs

1. S.Senthilkumar

S/o. Senthamarai Kannan, No. 11/26, I
Thomodharan Nagar, Kadaperi,
Tambaram, Chennai 600045 (1st
Respondent remained ex-parte)

2.Magma HDI General Insurance Co.
Ltd

New No. 17-19, Old No. 103, B Block,
3A, 3rd Floor, Navins Presidium,
Nelson Manickam Road, Chennai 600
029.

Respondent(s)

PRAYER

To against the Judgement and decree dated 31.08.2023 and made in MACTOP
No. 4603 of 2019 on the file of the IV Small Causes Court (Motor Accident
Claims Tribunal) Chennai.



For Appellant(s): M/s.N.M.Muthurajan

For Respondent(s): M/s.R.Sree Vidhya
R1 - Notice Dispensed With -
Vide Court Order Dt. 23/04/2025

ORDER

Today, the matter is listed under the caption "for being mentioned" at the instance of the learned counsel for the appellant.

2. It is brought to the notice of this Court that some typographical error has been crept in paragraph Nos.5,6 & 7 of the order dated 29.07.2025.

The said paragraph Nos.5,6 & 7 are to be replaced as follows:

“ 5.Considering the facts of the case and also the cost of living at the time of the accident this Court is inclined to fix Rs.8,000/- per percentage of disability. Accordingly, the claimant is entitled to Rs.4,00,000/- under the head of disability. Further, accident was happened in the year 2019 but the tribunal has fixed very meagre amount in other heads. Hence, this Court is inclined to



WEB COPY



enhance the compensation awarded under the head of transportation charges, nutrition expenses, damages to clothes and attender charges.

The claimant has taken inpatient treatment for 15 days hence this Court is inclined to enhance the award passed under the head of transportation charges from Rs.5,000/- to Rs.10,000/- and Rs.7,000/- to Rs.15,000/- for attender charges. Further, considering the injuries sustained by the claimant he would have spent money for the nutritional expense hence this Court is inclined to enhance the award passed under the head of nutritional expenses from Rs.10,000/- to Rs.15,000/- and also damages to cloths from Rs.2,000/- to Rs.5,000/- . Further, the other medical bills produced by the claimant were not considered by the Tribunal. Therefore, this Court is inclined to award a sum of Rs.45,205/- towards other medical expenses. Hence, the total medical expenses are enhanced to Rs.2,80,205/- (Rs.2,35,000 + Rs.45,205 = Rs.2,80,205/-) under the head of medical bills. Except for the above modification, the award passed by the Tribunal under the other heads remains unchanged.



6. In view of the discussions made earlier, the award

passed by the Tribunal is modified as follows:-

S.No.	Head	Compensation awarded by the Tribunal	Compensation awarded by this Court
1.	Pain and sufferings	Rs.40,000/-	Rs.40,000/-
2.	Loss of Income	Nil	Rs.48,000/-
3.	Medical Expenses	Rs.2,35,000/-	Rs.2,30,205/-
4.	Transportation expenses	Rs.5,000/-	Rs.10,000/-
5.	Extra Nourishment	Rs.10,000/-	Rs.15,000/-
6.	Attender charges	Rs.7,000/-	Rs.15,000/-
7.	Damages to cloths and article	Rs.2,000/-	Rs.5,000/-
8.	Lost of amenities	Rs.25,000/-	Rs.25,000/-
9.	For permanent disability	Rs.2,50,000/-	Rs.4,00,000/-
	Total	Rs.5,74,000/-	Rs.8,38,205/-

7. In view of the discussions made earlier, the compensation awarded by the Tribunal is enhanced to **Rs.8,38,205/-**. The second **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 till the date of realisation, to the credit of MACT OP No. 4603 of 2019 on the file of the IV Small Causes Court, (Motor Accidents Claims Tribunal) Chennai, within a period of eight weeks from the date of receipt of a copy of this judgement. On such deposit, the **appellant/claimant** is permitted to withdraw the



award amount by making formal application before the Tribunal.”

3. Registry is directed to incorporate the above paragraph Nos.5,6 & 7

quoted above and issue fresh order copy to the parties forthwith.

4. In other respects, the order dated 29.07.2025 shall remain unaltered.

31-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

rri

To

1.S.Senthilkumar

S/o. Senthamarai Kannan, No. 11/26, I

Thomodharan Nagar, Kadaperi,



Tambaram, Chennai 600045 (1st
Respondent remained ex-parte)

2. Magma HDI General Insurance Co.
Ltd

New No. 17-19, Old No. 103, B Block,
3A, 3rd Floor, Navins Presidium,
Nelson Manickam Road,
Chennai 600 029.

3. The IV Small Causes Court, (Motor
Accidents Claims Tribunal), Chennai.

4. The Section Officer, VR. Section,
High Court of Madras.



WEB COPY

CMA No. 1145 of 2025



T.V.THAMILSELVI J.
rri

CMA No. 1145 of 2025

31-10-2025