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CMA No. 1856 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 1856 of 2025

1. Jayanthi

W/o. Lakshmanakumar, No. 4391/1,
Anna Cross Street, Vallalar Nagar,
Thandalam Chettithangal, Ranipet
District-401.

Appellant(s)

Vs

1. The Managing Director
Metropolitan Transport Corporation
Ltd., Pallavan House, Anna Salai,
Chennai-002

Respondent(s)

CMA No. 1856 of 2025

PRAYER

To allow this CMA by enhancing the compensation awarded in the Judgment and Decree, dated 22.01.2025, passed in MCOP No. 1593 of 2020, on the file of the Motor Accident Claims Tribunal (In the IV Court of Small Causes, Chennai) and pass such further order or orders as this Honble Court.



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For Appellant(s): Mr.K.Balaji

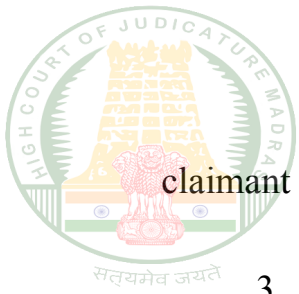
For Respondent(s): Mr.M.Murali Vinodh

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JUDGEMENT

This Civil Miscellaneous Appeal has been filed to enhance the compensation awarded in the Judgment and Decree, dated 22.01.2025, passed in MCOP No. 1593 of 2020, on the file of the Motor Accident Claims Tribunal (In the IV Court of Small Causes, Chennai) (in short "tribunal").

2. On 12.03.2020 at about 09.00 hours,when the claimant was travelling as pillion rider on the motorcycle bearing registration No. TN 73 M 0214, at that time MTC bus bearing registration NO. TN 01 N 9194 driven by its driver in a rash and negligent manner hit the said motorcycle due to which the claimant sustained injuries. Thereafter, the claimant filed the petition before the tribunal claiming compensation. The respondent contested the case by filing counter. After considering the oral and documentary evidence, the tribunal awarded a compensation. Challenging the quantum of compensation the



claimant filed this appeal.

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3. The learned counsel for the appellant submits that the claimant has sustained multiple injuries and the medical board has awarded 15 % disability but the tribunal awarded Rs.7,000/- per percentage of disability which is very meagre and also failed to adopt multiplier method. Further the accident was happened in the year 2020 but the tribunal has fixed only Rs.8,500/- as income of the claimant. Hence, he prays to enhance the compensation.

4. The learned counsel for the respondent submits that the tribunal has rightly fixed compensation which needs no interference.

5. Considering the facts of the case, the accident was happened in the year 2020 and also cost of living at the time of the accident. This Court is inclined to fix Rs.9,000/- per percentage of disability. Accordingly, the claimant is entitled to Rs.1,35,000/- under the head of disability and this Court inclined to enhance compensation under the head of loss of income from Rs. 42,500/- to Rs.75,000/- (5x15,000/-). Further, this Court is inclined to enhance compensation for transportation expenses from Rs.5,000/- to Rs.10,000/- and Rs.15,000/- for extra nourishment and Rs.15,000/- for attender charges. Except above



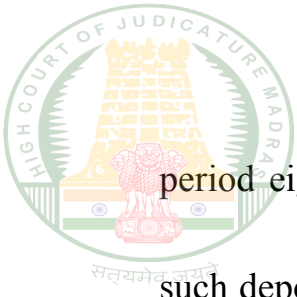
modification, the award passed by the tribunal under other heads remain unchanged.

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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.50,000/-	Rs.50,000/-
2.	Loss of Income	Rs.42,500/-	Rs.75,000/-
3.	Medical Expenses	Nil	Nil
4.	Transportation expenses	Rs.5,000/-	Rs.10,000/-
5.	Extra Nourishment	Rs.10,000/-	Rs.15,000/-
6.	Attender charges	Rs.10,000/-	Rs.15,000/-
7.	Damages to cloths and article	Rs.2,000/-	Rs.2,000/-
8.	Lost of amenities	Rs.25,000/-	Rs.25,000/-
9.	For permanent disability	Rs.1,05,000/-	Rs.1,35,000/-
10	Total	Rs.2,49,500/-	Rs.3,27,000/-

7. In view of the discussions made earlier, the compensation awarded by the Tribunal is enhanced to **Rs. 3,27,000/-**. The 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 Motor Accident Claims Tribunal (In the IV Court of Small Causes, Chennai), within a



period 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. The respondent may deduct

the amount, if any amount has already deposited before the tribunal.

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

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

1. The Managing Director
Metropolitan Transport Corporation
Ltd., Pallavan House, Anna Salai,
Chennai-002.
2. The Section Officer, V.R Section,
High Court, Madras.
3. The Motor Accident Claims Tribunal
(In the IV Court of Small Causes,
Chennai)



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T.V.THAMILSELVI J.
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