



WEB COPY

CMA No. 705 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-06-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 705 of 2024

and

CMP.No.6480 of 2024

1. The Managing Director
Tamil Nadu State Transport corporation
(villupuram) Ltd., Thiruvannamalai
Region, Thiruvannamalai

Appellant(s)

Vs

1. Thiru Balamurugan @ Balu
S/o.Pavanu, Door No.111, Santhosh
Nagar, Krishna Street, Porur, Chennai-
600116

Respondent(s)

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, prays to set aside the judgement and decree made in MCOP.No.2478 of 2013 dated 13.09.2022, on the file of the Motor Accident claims Tribunal (VI Small Causes Court) at Chennai.



WEB COPY

CMA No. 705 of 2024



For Appellant(s): T.Chandrasekaran

For Respondent(s): S. Parthasarathy

JUDGMENT

The appellant has filed this appeal, to set aside the judgement and decree made in MCOP.No.2478 of 2013 dated 13.09.2022, on the file of the Motor Accident claims Tribunal (VI Small Causes Court) at Chennai.

2. By challenging the fixation of disability at 15%, the appellant / Transport Corporation has filed this appeal.

3. The learned counsel for the appellant submits that the medical certificate was obtained nearly seven years after the date of the accident. The Tribunal erroneously fixed 15% as partial permanent disability, which, according to him, is incorrect. However, he admitted that the claimant had suffered a fracture and that he is a mason by profession.



WEB COPY

4. On perusal of the records, it is revealed that the Medical Board had certified 35% disability, but the Tribunal fixed only 15% as functional disability and awarded compensation at the rate of Rs.3,000/- per percent, thereby granting a sum of Rs.45,000/-.

5. The finding of the Tribunal is justifiable and requires no interference. Accordingly, the Civil Miscellaneous Appeal is dismissed. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

26-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

rri



CMA No. 705 of 2024



To

1. The Motor Accident claims Tribunal
(VI Small Causes Court) at Chennai.

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



WEB COPY

CMA No. 705 of 2024



T.V.THAMILSELVI J.
rri

CMA No. 705 of 2024

26-06-2025