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CMA No. 2492 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-08-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 2492 of 2024

1. SANKARANARAYANA

S/o. Ashok Kumar, No. 4/97, Balaji
Nagar, 2nd Cross Street, Periya
Kolunthuvancherri, Ayyappanthangal,
Chennai 600 122

Appellant(s)

Vs

1. Srei Equipments Finance Private
Limited
No.21, Casa Major Road, Egmore,
Chennai 008

2.The Manager
IFFCO - TOKYO General Insurance
Company Ltd. Motor Third Party Cell,
No. 128, Habibullah Road,
Dharmapuram, T.Nagar, Chennai 017

Respondent(s)

CMA No. 2492 of 2024



PRAYER

To enhance the awarded dated 10.01.2024 in MCOP No. 138 of 2018 on the file of Before the Motor Accident Claims Tribunal, In the II Judge, Court of Small Causes, Chennai.

CMA No. 2492 of 2024

For Appellant(s): Mr.K.Ayyadurai For Mr.
P.Cheralaadhan

For Respondent(s): Mr. K.Poomalai For R2 R1 -
Vacated

ORDER

This matter is listed today under the caption "For being mentioned" at the instance of the learned counsel for the petitioner.

2. It is brought to the notice of this Court that some typographical error has been crept in Paragraphs Nos.4,5,6 and 7 of the order dated 18.07.2025.

Hence, the same is to be replaced as follows:

*" 4. The learned counsel for the Insurance company submits that the tribunal has rightly fixed notional income of the **injured** which needs no interference. Hence, he prays to dismiss this appeal.*

5. Considering the facts of the case, the claimant was studying B.E II year at the of the accident and also the claimant has



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sustained 72% disability. Hence, this Court is inclined to fix

Rs.16,000/- as notional income of the claimant. Accordingly, the

claimant is entitled to Rs.34,83,648/-{22,400x12x18x72/100) under

the head of disability. Except above modification, the award passed

by the tribunal under other heads remain 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.1,00,000/-	Rs.1,00,000/-
2.	Loss of Income	Nil	Nil
3.	Medical Expenses	Rs.10,58,495/-	Rs.10,58,495/-
4.	Transportation expenses	Rs.50,000/-	Rs.50,000/-
5.	Extra Nourishment	Rs.50,000/-	Rs.50,000/-
6.	Attender charges	Rs.50,000/-	Rs.50,000/-
7.	Damages to cloths and article	Nil	Nil
8.	Lost of amenities	Rs.1,00,000/-	Rs.1,00,000/-
9.	For permanent disability	Rs.26,12,736/-	Rs.34,83,648/-
10	Total	Rs.40,21,231/-	Rs.48,92,143/-

Rounded off to Rs.48,92,200/-

7. In view of the discussions made earlier, the compensation

awarded by the Tribunal is enhanced to **Rs. 48,92,200/-**. 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



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*petition to the date of realisation, to the credit of MCOP No. 138 of 2018 on the file of Before the Motor Accident Claims Tribunal, In the II Judge, Court of Small Causes, 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. **The second respondent** may deduct the amount, if any amount has already deposited before the tribunal.*

3. The time for deposit is extended for a further period of three weeks from the date of receipt of a copy of this order.

4. Registry is directed to carry out necessary correction in the Order and issue fresh order copy.

5. In other respects, the order dated 18.07.2025 shall remain unaltered.

05-08-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

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2.The Manager
IFFCO - TOKYO General Insurance
Company Ltd. Motor Third Party Cell,
No. 128, Habibullah Road,
Dharmapuram, T.Nagar, Chennai 017.

3. The Section Officer, V.R Section,
High Court, Madras.

4. The Motor Accident Claims Tribunal,
In the II Judge, Court of Small Causes,
Chennai.



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T.V.THAMILSELVI J.

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