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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE R. KALAIMATHI

**CMA No. 2941 of 2025 &
CMP.No.24900 of 2025**

The Managing Director,
Tamil Nadu State Transportation
Corporation Ltd.,
No.37, Mettupalayam Road,
Coimbatore at Erode.

.... Appellant

Vs

1. Geetha
2. Sivakami
3. Sadaiyappan
4. N.Senthil Kumar

... Respondents

Prayer: Civil Miscellaneous Appeal filed under section 173 of the Motor Vehicles Act, 1988 praying to set aside the order dated 15.11.2023 made in MCOP.No.17 of 2019 on the file of the Motor Accident Claims Tribunal Judge/Subordinate Judge, Sathyamangalam.

For Appellant(s): M. Murali Vinodh

ORDER

This Civil Miscellaneous Appeal is filed by the Managing Director of
Tamil Nadu State Transport Corporation Ltd., Coimbatore at Erode,



challenging the award passed by the Motor Accident Claims Tribunal

Judge/Subordinate Judge, Sathyamangalam in MCOP.No.17 of 2019 dated

15.11.2023.

2. Learned counsel for the appellant/ TNSTC strenuously argued that the deceased was 75 years of age and stated to be an agricultural coolie. His notional income was fixed at Rs.15,000/- per month and it is on the higher side. He would further contend that the total compensation awarded by the tribunal is on the higher side and hence sought for reduction of the compensation awarded by the tribunal.

3. Heard the learned counsel for the appellant/TNSTC and perused the materials available on record.

4. It is the evidence of PW1 that the deceased was working as an agricultural coolie and at the relevant point of time, he was aged about 27 years. The date of accident is 07.10.2018. Though no document was filed to substantiate the income of the deceased, the tribunal considering the age of



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the deceased and year of the accident, came to the conclusion that in the year

2018, an agricultural coolie would have earned Rs.15,000/- per month,

appears to be reasonable and acceptable. Further, as per the law laid down

by the Honourable Supreme Court in ***National Insurance Company Limited***

Vs. Pranay Sethi reported in 2017 (2) TNMAC 609 (SC), 40% is added

towards future prospectus. As held in ***Sarla Verma and others Vs. Delhi***

Transport Corporation and another 2009 2 TNMAC 1 SC, the tribunal by

selecting appropriate multiplier of 17m, since the deceased was 27 years old

at the time of accident, has rightly computed the loss of dependency as

follows:

$$\text{Rs.15,000/-} + 40\% - \frac{1}{3} \times 12 \times 17 = \text{Rs.28,56,000/-}$$

Further, the tribunal has granted Rs.15,000/- as compensation each under the

head of loss of estate and for funeral expenses. For loss of consortium, as

the claimants are three in number, it has granted a sum of Rs.1,20,000/- (3 x

40000) is granted.

5. In consideration of the above said details, this Court is of the view

that the compensation awarded by the tribunal under the above said heads



appears to be reasonable and acceptable and hence, it does not warrant any interference by this Court.

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6. In the result,

- The Civil Miscellaneous Appeal is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.
- The compensation awarded by the Tribunal is confirmed.
- The appellant/TNSTC is directed to deposit the compensation of Rs.30,06,000/- awarded by the tribunal to the credit of MCOP.No.17 of 2019 on the file of Motor Accident Claims Tribunal Judge/Subordinate Judge, Sathyamangalam, along with interest at the rate of 7.5% per annum from the date of petition, till the date of realisation, (excluding the period of default, if any) less the amount, if any deposited within a period of eight weeks from the date of receipt of a copy of this judgment.
- On such deposit, the claimants are at liberty to withdraw the amount with interest and costs, after adjusting the amount, if any already withdrawn, by filing cheque application before the Tribunal.

msr

Index:Yes/No

Internet:Yes

16-10-2025



To

The Motor Accident Claims Tribunal

Judge / Subordinate Judge,

Sathyamangalam.

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R.KALAIMATHI J.

msr

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CMA.No.2649 of 2025 (for orders)

To

The Hon'ble Mrs.Justice R. Kalaimathi

From

M.Sasirekha,
PS to the Hon'ble Judges