



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2025

CORAM

THE HONOURABLE MRS. JUSTICE R. KALAIMATHI

**C.M.A.NO.3364 OF 2025 &
CMP.No.27679 of 2025**

The Manager,
Cholamandalam MS General
Insurance Co. Ltd.,
No.154, Thambu Chetty Street,
2nd Floor, Chennai 01

....

Appellant

Vs

1.R. Amudha
2. R. Rajesh
3. R. Anitha
4.M/s.National Road Line
No.12,Shanmuga Nagar, Kavaraipettai,
Gummidipoondi,
Thiruvallur Dist – 601 206.

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Respondents

Prayer: Civil Miscellaneous Appeal filed under section 173 of the Motor Vehicles Act, 1988 against the decree and judgment passed in MCOP.No.2629 of 2022 dated 27.06.2024 on the file of the Motor Accident Claims Tribunal, II Court, Court of Small Causes, Chennai.

For Appellant : Mrs. R. Srividhya

For Respondents : Mr.K. Varadhakamaraj

JUDGMENT

This Civil Miscellaneous Appeal has been preferred by the Insurance Company against the Award dated 27.06.2024 passed in MCOP.No.2829 of 2022 on the file of Motor Accident Claims Tribunal/ II Court, Court of Small Causes, Chennai for a change in the quantum of compensation.



2. Claim Petition was filed by the legal heirs of the deceased Raja @  under section 166 of Motor Vehicles Act, 1988, claiming compensation of Rs.49,00,000/- from the respondent for the death of above said person due to the road traffic accident that took place on 30.05.2020.

3. The Tribunal upon consideration of evidence and after hearing the arguments advanced by the learned counsels appearing on either sides, granted compensation of Rs.22,29,500/- with 7.5% interest per annum from the date of filing of claim petition. The amounts granted by the Tribunal under various heads are given hereunder:

S. No.	Heads	Amount
1	For Loss of dependency	Rs.20,80,000/-
2	For loss of spouse consortium	Rs. 44,000/-
3	For loss of parental consortium	Rs 88,000/-
4	For funeral Expenses	Rs. 16,500/-
5	For Loss of estate	Rs. 1,000/-
	Total	Rs.22,29,500/-

4. It has come on record through the evidence of PW1/wife of the deceased that her husband was working as a painter and earning a sum of Rs.30,000/- per month. The date of accident is 30.05.2022. As per the Adhar card of deceased Ex.P.9, the age of the deceased is taken as 46 years. To substantiate the income details, no document was marked. In consideration of the above said details, the notional income of the deceased taken as Rs.16,000/- per month appears to be acceptable and reasonable.



The Tribunal, while computing the notional income, added 25% for future prospects with multiplier 13 after deducting 1/3rd towards the personal expenses and arrived at loss of dependency at Rs.20,80,000/-, which according to this Court, appears to be just and fair.

5. As regards the other heads, the amounts awarded by the Tribunal appears to be reasonable and it does not warrant any interference by this Court. Based on the aforestated discussions, this Civil Miscellaneous Appeal stands dismissed at the admission stage itself. No costs. Consequently, the connected miscellaneous petition is closed.

13.11.2025

msr
Index:yes/no
Internet:yes/no

To

The Motor Accident Claims Tribunal,
II Court, Court of Small Causes, Chennai.



WEB COPY



R. KALAIMATHI,J.

msr

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