



C.M.A.No.2803 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **07.11.2025**

CORAM

THE HONOURABLE MRS JUSTICE R. KALAIMATHI

C.M.A.No.2803 of 2025

and C.M.P.No.23777 of 2025

Reliance General Insurance Co. Ltd.,
represented by its Manager,
No.12, "H" Block, H-2035 4th Street,
1st Main Road, Annanagar West,
Chennai – 600 040

.. Appellant / 2nd Respondent

Vs.

1. S.Athi Lakshmi

..1st Respondent / Petitioner

2. D.Suresh

..2nd Respondent / 1st Respondent

Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988, against the judgment and decree dated 16.04.2024 made in M.C.O.P.No.838 of 2019 on the file of the Motor Accident Claims Tribunal, III Court of Small Causes, Chennai.

For Appellant : Ms.Sree Vidhya

JUDGMENT

This Civil Miscellaneous Appeal is preferred by the Insurance Company against the Award dated 16.04.2024 passed in M.C.O.P.No.838 of 2019 on



C.M.A.No.2803 of 2025

the file of the Motor Accidents Claims Tribunal / III Court of Small Causes,
Chennai, for a change.

2. Mother of the deceased S.Venkatesh filed a claim petition under Section 166 of the Motor Vehicles Act, 1988, claiming compensation of Rs.45,00,000/- for the death of her son who sustained fatal injuries in a road traffic accident that took place on 30.04.2018.

3. The Tribunal upon consideration of the entire records and after hearing the arguments advanced by both sides granted compensation of Rs.23,38,000/- with interest at the rate 7.5% per annum from the date of filing of claim petition and the amounts granted under various heads are given hereunder:-

“Towards loss of dependency Rs.22,68,000/-, towards loss of consortium Rs.40,000/-, towards loss of estate and funeral expenses Rs.15,000/- under each head, totally a sum of Rs.23,38,000/- is granted.”

4. It is the evidence of P.W1 – S.Athilakshmi that her deceased son was working as Team Leader, Aagna Global Solutions, Chennai and he was earning a sum of Rs.20,000/- per month. Employee ID card of the deceased is marked as Ex.P8. Ex.P9 and Ex.P10 are the increment letter and salary



certificate of the deceased respectively. To prove the above said document, the relevant employer is not examined. In consideration of the above said details, the Tribunal fixed the notional income at Rs.15,000/- per month and after adding 40% future prospects, the notional income arrived at Rs.21,000/-. As the deceased was a bachelor, 50% was deducted from the annual income and by applying multiplier '18'm, loss of dependency was arrived at Rs.22,68,000/-. In consideration of the above said details, the amounts as mentioned supra granted by the Tribunal appears to be reasonable and acceptable and hence does not warrant interference by this Court.

5. In the result,

(i) This Civil Miscellaneous Appeal stands dismissed. No costs. Consequently, connected Civil Miscellaneous Petition stands closed.

(ii) The compensation awarded by the Tribunal is confirmed.

(iii) The Appellant / Insurance Company is directed to deposit the compensation amount awarded by the Tribunal i.e. Rs.23,38,000/- (less the amount already deposited if any) together with interest at the rate of 7.5% per annum from the date of claim petition till the date of realisation (excluding the period of default if any) to the credit of M.C.O.P.No.838 of 2019 on the file of Motor Accident Claims Tribunal / III Court of Small Causes, Chennai, within a period of eight weeks from the date of receipt of a copy of this Judgment.



C.M.A.No.2803 of 2025

(iv) On such deposit being made, the claimant is at liberty to withdraw the same along with interest and costs, less the amount if any already withdrawn, by making necessary cheque application before the Tribunal.

(v) The claimant is directed to pay the Court fee for the compensation amount awarded by the Tribunal, if any.

07.11.2025

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No

Mac

Copy to

1. The Motor Accident Claims Tribunal / III Court of Small Causes, Chennai
2. The Section Officer,
VR Section,
High Court, Madras.



WEB COPY



C.M.A.No.2803 of 2025

R. KALAIMATHI, J.

Mac

C.M.A.No.2803 of 2025
and C.M.P.No.23777 of 2025

07.11.2025