



WEB COPY

CMA No. 1845 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 1845 of 2025

AND

CMP NO. 16162 OF 2025

1. The Regional Manager
Tamil Nadu State Transport
Corporation, New Railway Station
Road Kumbakonam Munsif and Town

Appellant(s)

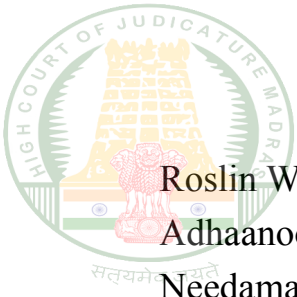
Vs

1. AROKKIYAMARY
W/o. Arokiyasamy, Thatti,
Adhaanoormandapam, Sithamalli Post,
Needamangalam Taluk and Munsif

2. Joseph Baskar
Joseph Baskar S/o Arokkiyasamy
192/2, Thatti, Adhaanoormandapam
Athanoor, Needamangalam Taluk and
Munsif

3. Jenova Arulmary
Jenova Arulmary W/o Manickam RV
Nagar, 1st Street, Pallapatti, Dindugal.

4. Roslin



Roslin W/o Arokkiyaraj 192/2, Thatti,
Adhaanoormandapam Athanoor,
Needamangalam Taluk and Munsif.

WEB COPY

5.Deivanai
Deivanai W/o Elangovan 1/317, East
Street,
Sirkazhi, Alakkudi, Nagappattinam

Respondent(s)

CMA No. 1845 of 2025

PRAYER

To set aside the Decree and Judgment dated 20.02.2024 made in M.C.O.P. No.85 of 2022 on the file of Motor Accident Claims Tribunal/Subordinate Judge, Mannargudi, and be pleased to dismiss the above claim as against the appellant and thus render Justice.

CMA No. 1845 of 2025

For Appellant(s): Mr.M Murali Vinodh

For Respondent(s):

JUDGEMENT

Challenging the judgement and decree passed by the Motor Accident Claims Tribunal/Subordinate Judge, Mannargudi, in M.C.O.P. No.85 of 2022, the Regional Manager, Tamil Nadu State Transport Corporation, Kumbakonam/appellant filed this appeal.



2. On 08.02.2021, at about 05.00 a.m., the deceased Arockiasamy was walking on the left side of the Sithamalli road, at that time bus bearing registration No. TN 68 N 0625 driven by its driver in a rash and negligent manner dashed against the deceased due to which he died on the spot. Thereafter, the deceased Arockiasamy's legal heirs filed the petition before the tribunal claiming compensation. Thereafter, the appellant herein contested the case by filing counter. After considering the oral and documentary the tribunal awarded compensation of Rs.4,22,950/-. Challenging the award passed by the tribunal the appellant/Transport Corporation filed this appeal.

3. The submission of the learned counsel for the appellant is that the deceased Arockiasamy was aged about 80 years at the time of the accident but the tribunal has awarded Rs.5,000/- as notional income of the deceased without any proof hence, he prays to set aside the award passed by the tribunal.

4. Considering the fact that the accident was happened in the year 2021 so the tribunal has rightly fixed Rs.5,000/- as notional income of the deceased as such is justifiable and needs no interference and in other heads also the tribunal



has fixed compensation reasonably. Accordingly, this Civil Miscellaneous

Appeal is dismissed. No Costs. Pending petition(s), if any, is/are closed.

WEB COPY

16-07-2025

Pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Motor Accident Claims Tribunal/Subordinate Judge, Mannargudi
2. The Section Officer, V.R Section, High Court, Madras.



WEB COPY

CMA No. 1845 of 2025



T.V.THAMILSELVI J.
pbl

**CMA No. 1845 of 2025
AND CMP NO. 16162
OF 2025**

16-07-2025