



WEB COPY

CMA No. 405 of 2019



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-06-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CMA No. 405 of 2019

1. N.Palani,
S/O.NATARAJA KUTTI
GOUNDANOOR VILLAGE,
PANIYANDA PALLI
POST,VIA.PUDUPETTAI,
TIRUPATTUR TK,NOW AT
KANNAMANGALAM VILLAGE and
POST,ARNI TK

Appellant(s)

Vs

1. Sri Amarnatha Gupta
S/o.Dwarakadas
Gupta,No.5,Oshangessy Road,Langford
Gardens, Bangalore-25

2.The Reliance General Insurance,
Company Ltd
Rep.By Branch Manager, No.73, 1st
Floor, Officers Line, Vellore

Respondent(s)



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PRAYER

To against the judgment and decree in MCOP No.14/2011 dated 02-04-2016 on the file of the MACT/Sub-Court, Arni on the following among other grounds.

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For Appellant(s): M/s. P. Satheesh Kumar

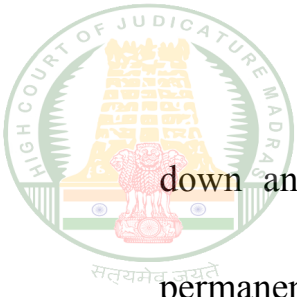
For Respondent(s): M/s. P.Suresh Srinivasan- For R2
R1 - Unclaimed

JUDGEMENT

This Civil Miscellaneous Appeal has been filed against the judgment and decree in MCOP No.14/2011 dated 02-04-2016 on the file of the MACT/Sub-Court, Arni(in short "tribunal").

2. The brief facts of the case:

On 23-11-2010 at about 2:45 P.M, the claimant was standing on left extreme side of the road near Pallikonda bus stop in Ambur to Vellore MC road. At that time, a car bearing Reiteration No:KA- 03-MH-1580 came in a very rash and negligent manner with heavy speed from west to east direction and came on the left extreme side of the road and dashed against the claimant and also several persons who are standing in the bus stop. The said car also dashed against several Auto which was parked in the Auto stand. The claimant fell



down and sustained multiple injuries all over the body which has caused permanent disability to the claimant. Thereafter, the claimant filed the petition

before the tribunal claiming compensation of Rs.4,00,000/-. The second respondent herein/Insurance Company contested the case by filing counter statement. On Considering the oral and documentary evidence, the Tribunal awarded a sum of Rs.92,600/- as compensation to the claimant. Challenging the quantum of compensation, the claimant filed the present appeal.

3. The learned counsel for the appellant/claimant submits that the accident was happened in the year 2010 and the claimant suffered 30% disability but the tribunal failed to consider the above fact awarded very meagre amount of compensation. Hence, he prays to enhance the compensation.

4. The learned counsel for the second respondent/Insurance Company submits that the tribunal has rightly awarded compensation which needs no interference.

5. Considering the fact that on 23.11.2010, the accident was happened, due to which, the claimant sustained injuries and had taken inpatient treatment for 15 days. Thereafter, he had continued his treatment for three months. As per



the disability certificate, claimant sustained 30% disability and also considering the period of treatment, this Court is inclined to enhance the compensation for disability from Rs.81,600/- to 90,000/-. Further, this Court is inclined to award Rs.5,000/- under the head of extra nourishment and Rs.10,000/- for attender charges and Rs.50,000/- for loss of income. In respect of other heads, pay and recovery, the ordered by the tribunal is sustainable.

S. N O.	Heads	Compensation awarded by the tribunal	Compensation awarded by this Court
1.	For disability	Rs.81,600/-	Rs.90,000/-
2.	For pain and sufferings	Rs.5,000/-	Rs.20,000/-
3.	For Loss of income	Nil	Rs.50,000/-
4.	For Attender charges	Nil	Rs.10,000/-
5.	For Loss of amenities	Rs.1,000/-	Rs.1,000/-
6.	For Transport expenses	Rs.5,000/-	Rs.5,000/-
7.	For Extra Nourishment	Nil	Rs.5,000/-
	Total	Rs.92,600/-	Rs.1,81,000/-

8. As discussed above, the claimant/appellant herein is entitled to **Rs.1,81,000/-**. The second respondent herein/Insurance Company is directed to deposit the said amount to the credit of **MCOP No.14/2011 on the file of the MACT/Sub-Court, Arni**, with the interest of 7.5% per annum from the date of



petition till payment within a period of eight weeks from the date of receipt of a copy of this judgment. If any amount was deposited before the tribunal, the

insurance company shall deposit the remaining amount after deducting the deposited amount. On such deposit, the claimant is permitted to withdraw the said amount by filing appropriate application before the tribunal. No Costs.

Pending Petition(s), if any, is/are closed.

11-06-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

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S/o.Dwarakadas
Gupta,No.5,Oshangessy Road,Langford
Gardens, Bangalore-25

2.The Reliance General Insurance,
Company Ltd
Rep.By Branch Manager, No.73, 1st
Floor, Officers Line, Vellore
3. The MACT/Sub-Court, Arni.
4. The Section officer, V.R. Section,
High Court, Madras.



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T.V.THAMILSELVI J.
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