



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2026

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THE HONOURABLE MRS. JUSTICE K.GOVINDARAJAN THILAKAVADI

C.M.A.No.3851 of 2025
and C.M.P.No. 32188 of 2025

The Managing Director
Tamil Nadu State Transport Corporation Ltd., (Salem)
No.12, Ramakrishna Road,
Salem – 7
Regional office at Dharmapuri

...Appellant

Vs.

Yesu

...Respondent

Prayer: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against the decree and judgment dated 21.09.2023 passed in M.C.O.P.No.118 of 2017 on the file of the Motor Accident Claims Tribunal, (Chief Judicial Magistrate), Vellore, Vellore District.

For Appellant : Mr. Nitin D

JUDGMENT

This Appeal has been filed against the decree and judgment passed in M.C.O.P.No.118 of 2017 on the file of the Motor Accidents Claims Tribunal (Chief Judicial Magistrate), Vellore, Vellore District dated 21.09.2023.

2. Briefly stated, the alleged accident took place on 21.01.2016 at about 01.00 a.m. at Vellore Ambur N.H.Road near Pachaikuppam over bridge. The



Petitioner was traveling in the tractor bearing Registration No.TN 77 Z 7133, its driver was driving the tractor in a careful manner on the left side of the road. At that time, on the same direction a TNSTC bus bearing Registration No.TN 29 N 2562, was driven by its driver in high speed, in a rash and negligent manner, dashed against the tractor. In result, the petitioner sustained grievous injury on both legs and fractured both hands and sustained injuries all over the body. The opposition to the claim is that the alleged accident took place due to the negligence of the tractor driver. That apart, other facts have been disputed. The claims Tribunal holds that, bus was being driven rashly and negligently and caused the accident, is proved. Accordingly, the claim has been allowed and a sum of Rs.60,000/- was awarded as compensation.

3. Through this appeal, findings of the claims Tribunal have been challenged. Substance of evidence clearly points out that the alleged accident was caused due to the rash and negligent act of the driver of the bus. The claims Tribunal appreciated the evidence of PW1 and Ex.P.1 (copy of FIR) and Ex.P.4 accident register, and concluded that the driver of the bus caused the accident and that the appellant/ Insurance Company failed to prove the manner of accident. The Tribunal has analyzed and appreciated the evidence in correct perspectives. Hence, the above findings of the Tribunal is confirmed.

4. Having come to the aforesaid conclusion, the next question to be answered is about the compensation awarded to the claimant. The claimant was



45 years at the time of the accident. Considering the age and the nature of injury suffered by the claimant and other facts such as year of accident, avocation etc., the claims Tribunal has awarded a sum of Rs.60,000/- as compensation and the same found to be just and reasonable, which warrants any interference by this Court.

5. In the result, this Civil Miscellaneous Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

09.01.2026

Index : Yes
Speaking Order : Yes
Neutral citation : Yes
vsn

To

1. The Chief Judicial Magistrate,
Motor Accident Claims Tribunal,
Vellore District.
2. The Section Officer,
V.R.Section, High Court, Madras.



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K.GOVINDARAJAN THILAKAVADI., J

Vsn

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