



C.M.A. NOS.1928 AND 3449 OF 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2026

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CORAM:

**THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
AND
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL**

CMA NOS.1928 AND 3449 OF 2025

AND

CMP NOS.28456 OF 2025 AND 1481 OF 2026

IN

CMA NO.3449 OF 2025

CMA NO.1928 OF 2025

- 1.Sumathi
- 2.R.Anand Babu
- 3.R.Vinoth

Mangammal (Since died)
(Amended as per Order passed in
M.P.No.1 of 2022 dated July 12, 2022)

All are residing at No.3/973, Flat No.18,
Bharathiyar Nagar, Sulaima Nagar,
Mettukuppam, Chennai – 600 097.

... Appellants /
Petitioners

Versus

- 1.M/s.Simplex Infrastructures Ltd.,
Simplex House
No.27, Shakespeare Sarani,
Kolkata, West Bengal – 700 017.
- 2.M/s.Reliance General Insurance Company Ltd.,
Legal Department
Reliance House, 6th Floor,



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No.6, Haddows Road,
Nungambakkam, Chennai – 600 006.

... Respondents /
Respondents

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PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, praying to enhance the compensation awarded in the Fair and Decretal Order dated February 14, 2025 passed in M.C.O.P. No.375 of 2018 on the file of the Motor Accident Claims Tribunal (II Special Court, Small Causes Court) Chennai.

For Appellants : Mr.K.Balaji
For Respondent-1 : No appearance
For Respondent-2 : Mr.Sai Srujan Tayi

CMA NO.3449 OF 2025

M/s.Reliance General Insurance Company Ltd.,
Legal Department
Reliance House, 6th Floor,
No.6, Haddows Road,
Nungambakkam, Chennai – 600 006.

... Appellant /
2nd Respondent

Versus

1.Sumathi
2.R.Anand Babu
3.R.Vinoth

Mangammal (Since died)

All are residing at No.3/973, Flat No.18,
Bharathiyar Nagar, Sulaima Nagar,
Mettukuppam, Chennai – 600 097.

... Respondents 1-3/
Petitioners 1-3



C.M.A. NOS.1928 AND 3449 OF 2025

4.M/s.Simplex Infrastructures Ltd.,
Simplex House
No.27, Shakespeare Sarani,
Kolkata, West Bengal – 700 017.

... 4th Respondent /
1st Respondent

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, praying to set aside the Fair and Decretal Order dated February 14, 2025 passed in M.C.O.P. No.375 of 2018 on the file of the Motor Accident Claims Tribunal (II Special Court, Small Causes Court) Chennai.

For Appellant : Mr.Sai Srujan Tayi

For Respondents 1-3 : Mr.K.Balaji

For Respondent-4 : Served – No appearance

* * *

COMMON JUDGMENT

(Judgment of the Court was made by R.Sakthivel, J.)

Feeling aggrieved by the Award dated February 14, 2025 passed by 'the Motor Accident Claims Tribunal (II Special Court, Small Causes Court) Chennai' ['Tribunal' for short] in M.C.O.P. No.375 of 2018, the petitioners therein have preferred C.M.A. No.1928 of 2025 praying to enhance the compensation, while the second respondent therein / insurance



company, has preferred C.M.A. No.3449 of 2025 praying to set aside the Award.

2. This Common Judgment will now decide both the Civil Miscellaneous Appeals, as they both arise out of one and the same Award.

3. For the sake of convenience, hereinafter, the parties will be referred to as per their array in the Claim Petition.

PETITIONERS' CASE

4. The first petitioner is the wife of the deceased - Rangan; second and third petitioners are their sons. Fourth petitioner (since died) is the mother of the deceased; she passed away during the pendency of the Claim Petition.

4.1. On August 30, 2017 at about 17:30 hours, the deceased - Rangan was travelling as a pillion rider in the motorcycle bearing Registration No.TN-07-AE-1805 in north to south direction on Rajiv Gandhi Salai. When he was proceeding opposite to Hotel Formula-1, Karapakkam, Chennai, first respondent's Tata Sumo Car bearing Registration No.KA-51-Z-8054, driven by its driver in a rash and negligent manner, came from behind and hit the motorcycle in which the deceased was travelling.



4.2. Due to the impact, the deceased sustained grievous injuries. Immediately, he was taken to Swaram Hospital, Chennai wherein first aid was administered and later, he was admitted as in-patient at Chettinad Hospital, Padur, Kelambakkam, Kanchipuram District. Unfortunately, he succumbed to his injuries on September 23, 2017.

4.3. In connection with the said accident, First Information Report (F.I.R.) in Crime No.570 of 2017 was registered on the file of the J-3, Guindy Traffic Investigation, Chennai, for the offences punishable under Sections 279 and 337 of the Indian Penal Code, 1860 and later, altered into Sections 279, 338, 304(A) of the Indian Penal Code, 1860, against the driver of the first respondent's Tata Sumo Car.

4.4. At the time of the accident, the deceased was aged 56 years and he was the Proprietor of M/s.SKR Industries, Thalambur, and was earning a sum of Rs.19,00,000/- per annum.

4.5. It is the specific case of the petitioners that the accident occurred solely due to the rash and negligent act of the driver of the first respondent's Tata Sumo Car. The respondents 1 and 2 being the owner and the insurer of the offending Tata Sumo Car respectively, are jointly and severally liable to compensate the petitioners. Accordingly, the petitioners



filed the Claim Petition seeking a compensation of Rs.2,00,00,000/-
(Rupees Two Crores only).

FIRST RESPONDENT'S CASE

5. First respondent remained absent and was set *ex-parte* by the Tribunal.

SECOND RESPONDENT'S CASE

6. The second respondent filed a counter statement denying the petition averments. The manner of accident is specifically disputed. It is contended that there was no negligence on the part of the driver of the first respondent's Car. The accident occurred solely due to the rash and negligent riding of the rider of the aforesaid two-wheeler in which the deceased was riding pillion. Stating so, the second respondent prayed for dismissal of the Claim Petition.

TRIBUNAL

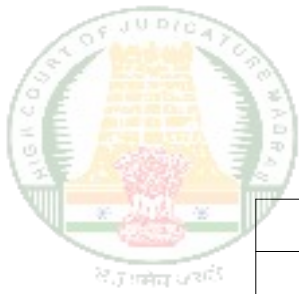
7. At trial, on the side of the petitioners, the son of the deceased - Mr.R.Anand Babu (second petitioner herein) was examined as P.W.1, and one Mr.Natarajan was examined as an ocular witness to the accident as



P.W.2, and Mr.Premnath, Medical Record Officer of Chettinad Hospital, Kelambakkam was examined P.W.3 and Ex-P.1 to Ex-P.20 were marked. Neither any witness was examined nor any documents was marked on the side of the second respondent. Aadhar card of P.W.2 was marked as Ex-X.1

8. The Tribunal after hearing either side and after considering the evidence available on record, relied on Ex-P.1 - F.I.R., Ex-P.2 - Charge Sheet and the evidence of P.W.2 / ocular witness to hold that the accident occurred due to the rash and negligent driving of the driver of the first respondent's Tata Sumo Car bearing Registration No.KA-51-Z-8054. The Tribunal further found that the offending Tata Sumo Car involved in the accident was duly insured with the second respondent / insurance company at the material point of time. Consequently, the Tribunal held that the second respondent is liable to pay compensation to the petitioners and awarded a sum of Rs.25,94,500/- (Rupees Twenty-Five Lakhs Ninety-Four Thousand Five Hundred Only) as compensation, as tabulated hereunder:

S.No.	Head	Amount
1	Loss of dependency	Rs.22,27,500/-
2	Loss of consortium	Rs.40,000/-
3	Loss of estate	Rs.15,000/-
4	Funeral expenses	Rs.15,000/-



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5	Loss of parental consortium	Rs.80,000/-
6	Medical bills	Rs.2,16,616/-
Total compensation		Rs.25,94,116/-
Rounded Off		Rs.25,94,500/-

9. Seeking enhancement of the compensation, the petitioners 1 to 3 have preferred C.M.A. No.1928 of 2025 and challenging the quantum of compensation, the second respondent / insurance company has preferred C.M.A. No.3449 of 2025.

ARGUMENTS

10. Heard Mr.K.Balaji, learned Counsel appearing for the appellants in C.M.A. No.1928 of 2025 / respondents 1 to 3 in C.M.A. No.3449 of 2025 / petitioners 1 to 3, and Mr.Sai Srujan Tayi, learned Counsel appearing for the appellant in C.M.A. No.3449 of 2025 / second respondent in C.M.A. No.1928 of 2025 / second respondent in Claim Petition / insurance company.

11. Mr.K.Balaji, learned Counsel submits that while the Tribunal is correct in fixing negligence on the part of the driver of the first respondent's Tata Sumo Car bearing Registration No.KA-51-Z-8054, the Tribunal failed to take into consideration the fact that the deceased was



having a proprietorship firm in the name and style of M/s.SKR Industries and would have earned not less than a sum of Rs.45,000/- per month, as evident from the Income Tax Return in Ex-P.20. The Tribunal erroneously fixed the monthly income of the deceased at Rs.25,000/- and failed to award just and proper compensation. Accordingly, he prays to allow the appeal in C.M.A. No.1928 of 2025, dismiss that in C.M.A. No.3449 of 2025 and enhance the Award amount.

12. *Per contra*, Mr.Sai Srujan Tayi, learned Counsel appearing for the second respondent / insurance company submits that the Tribunal failed to appreciate the evidence available on record in proper manner. The Tribunal erred in not considering that petitioners 1 to 3 have not sufficiently proved that the accident occurred due to the sole negligence of the driver of the first respondent's Tata Sumo Car. The rider of the two wheeler bearing Registration TN-07-AE-1805 alone is responsible for the accident. That apart, the Tribunal, by relying on the income tax returns in Ex-P.15 filed after the demise of deceased, took a sum of Rs.25,000/- as monthly income of the deceased and the same is on the higher side. Accordingly, he prays to allow C.M.A. No.3449 of 2025, dismiss C.M.A. No.1928 of 2025 and modify the award amount.



DISCUSSION

13. This Court has considered both sides' submissions and perused the evidence available on record. The points that arise for consideration are whether the Tribunal is right in its finding that the accident occurred solely due to the rashness and negligence of the driver of first respondent's Tata Sumo Car and whether the compensation awarded by the Tribunal is just, fair and reasonable.

14. As regards negligence, the petitioners' contention is that the accident occurred solely due to the rashness and negligence on the part of the driver of first respondent's Tata Sumo Car. According to them, the accident occurred when the first respondent's driver drove rashly and negligently and dashed against the motorcycle in which the deceased was riding pillion from behind. To substantiate their case, they examined P.W.1 who is the deceased's son and also the second petitioner herein, P.W.2 who is an ocular witness to the accident and also marked Ex-P.1 - F.I.R. and Ex-P.2 - Charge Sheet among other documents. P.W.2 having witnessed the accident is a competent person to depose about the manner of accident. Both P.W.1 and P.W.2 have maintained a consistent stand that the accident occurred solely due to the rashness and negligence of the said Tata Sumo Car's driver. Further, Ex-P.1 - F.I.R. was laid based on the complaint given



by the driver of the motorcycle in which the deceased was travelling. The said driver is none other than the brother of the deceased. It is stated in the F.I.R. that when they were returning from Porur after giving some invitation, the driver of Tata Sumo Car, who was driving at a high speed in a negligent manner, came from behind and dashed against their motorcycle and consequently, he sustained some minor injuries while his brother / deceased *inter-alia* sustained head injuries. The driver of first respondent's Tata Sumo Car is arrayed as the accused in the F.I.R. Further, the Police after investigation laid Ex-P.2 - Charge Sheet projecting the driver of said Tata Sumo Car as the accused. Though the second respondent disputed the manner of accident alleged by the petitioners and contended that the driver of the motorcycle in which the deceased was travelling is solely responsible for the accident, it remains unsubstantiated. The second respondent did not adduce any oral or documentary evidence to support its case. In these circumstances, this Court is of the view that the Tribunal is right in its finding that the accident occurred solely due to the rashness and negligence on the part of first respondent's Tata Sumo Car's driver.

15. As regards quantum of compensation, it is the specific case of the petitioners that the deceased - Rangan owned a proprietorship firm in the name and style of M/s.SKR Industries, Chengalpattu. The Registration



Certificate of the said firm in Ex-P.13, which stands in the name of the deceased and the income tax returns marked on the side of the petitioners as Ex-P.15 and Ex-P.20, prove that the deceased was the proprietor of the aforesaid firm.

16. To prove the monthly income of the deceased, the petitioners mainly rely on Ex-P.15 and Ex-P.20. Ex-P.15 contains the income tax returns for the assessment years [AY] 2016-17 and 2017-2018, pertaining to the financial years [FY] 2015-2016 and 2016-2017 respectively. Both the income tax returns in Ex-P.15 were filed posthumously *i.e.*, after the demise of the deceased. Ex-P.20 contains the income tax return for AY 2015-16 corresponding to FY 2014-2015, which was filed during the lifetime of the deceased. Ex-P.15 pertaining to AY 2016-2017 and 2017-2018 shows that the petitioners declared a gross annual income of Rs.2,71,150/- and Rs.3,14,950/- respectively from the said proprietorship firm, while Ex-P.20 for AY 2015-2016 reflects a declared gross annual income of Rs.5,44,167/- and that Rs.33,347/- was paid as income tax by the deceased. The following table shows the details about Ex-P.15 and Ex-P.20:



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<i>Exhibit</i>	<i>Income Tax Return filed by</i>	<i>AY</i>	<i>FY</i>	<i>Gross Annual Income declared</i>
Ex-P.15	Petitioners	2016-2017	2015-2016	Rs.2,71,150/-
		2017-2018	2016-2017	Rs.3,14,950/-
Ex-P.20	deceased	2015-2016	2014-2015	Rs.5,44,167/-

17. At this juncture, learned Counsel for the insurance company would point towards Ex-P.20 declaring an annual gross income of Rs.5,44,167/- and submit that even after the demise of the deceased, the said proprietorship firm, now run by the petitioners, is generating income and hence, there is no actual loss of income to the petitioners attributable to the demise of the deceased. This Court is of the view that mere continuation of a business does not negate the loss caused by the death of its proprietor to his family. Managing and sustaining a business requires continuous effort, time and often personal involvement. The petitioners, by undertaking the responsibility of running the firm, are necessarily foregoing their potential avenues of employment or their income that they could otherwise have pursued. Though the said proprietorship firm is still generating some income, there is still loss of dependency attributable to the demise of deceased. Therefore, the income presently derived from the firm cannot be treated as proof that no financial loss has occurred due to the demise of the deceased.



18. The Tribunal rejected the income tax returns in Ex-P.15 citing the reason that they were filed posthumously. The Tribunal rejected Ex-P.20 as well, on the ground that it pertains to FY 2014-2015 which is two years prior to the accident. Upon rejecting Ex-P.15 and Ex-P.20, the Tribunal went to notionally fix the deceased's income at Rs.25,000/- per month.

19. In this regard, reference may be to the Judgment of Hon'ble Supreme Court in ***Nidhi Bhargava -vs- National Insurance Co. Ltd.***, reported in ***2025 SCC OnLine SC 872***, wherein it was held that income tax return cannot be rejected on the sole ground that it was filed after the accident. Relevant extract reads thus:

'12. Just because on the date of the accident i.e., 12.08.2008, the Return for the Assessment Year 2008-2009 had not been filed, cannot disadvantage the appellants, for the reason that the period for which the Return is to be submitted covers the period starting 1st of April, 2007 and ending 31st March, 2008. Thus, for obvious reasons, the Return would be only for the period 01.04.2007 to 31.03.2008, and date of submission would be post-31.03.2008. No income earned beyond 31.03.2008 would reflect in the Income Tax Return for the Assessment Year 2008-2009. To reject the Return on the sole ground of its submission after the date of accident alone, in our considered view, cannot be legally sustained.



XXX

XXX

XXX

15. ... *It is not in dispute that the deceased was a businessman. The relevance of the Income Tax Return stems, in the context of the Act, for the period which it relates to i.e., the Financial Year concerned, and not on the date on which it is filed with the Income Tax Department. When faced with Returns for different Assessment Years, it would be upto the Tribunal concerned to adopt either the average income therefrom or choose an Assessment Year to rely upon. There is good reason to leave judicial discretion on the Tribunal to adopt one of the afore-noted two courses of action, bearing in nature the social purpose and object behind the Act, which is a beneficial legislation. It is quite unfortunate that the High Court in the present case has dealt with the matter in such a casual and superficial way where the rightful claim of the appellants under a welfare legislation has been drastically reduced without any cogent reason on a very tenuous ground, which we find to be totally unjustified.'*

20. In the Judgment in **Sayar -vs- Ramkaran** dated November 7, 2025 [Civil Appeal arising out of SLP(C) No. 24501/2025], though Hon'ble Supreme Court eventually went on to reject the posthumously filed income tax returns on the ground that they were surrounded by doubts, the principle advanced in *Nidhi Bhargava's Case* that posthumous filing of income tax return cannot be the only and sole reason to reject income tax return, was reaffirmed. Relevant extract reads thus:



'12. What flows from Nidhi Bhargava (supra) is that the Income Tax Returns filed after the accident/death can also be taken into consideration for calculation of income to award compensation. However, having due regard for the Tribunal's well-placed doubts, in so far as returns filed for the relevant year, we take a different approach. ...'

21. From the above, it is clear that the Tribunal is not right in rejecting the income tax returns in Ex-P.15 merely on the ground that they were filed posthumously, when they appear to be genuine; the income shown is less compared to income tax return for the previous assessment year in Ex-P.20.

22. The Tribunal also failed to appreciate the fact that the income tax return is not sufficiently distant from the date of accident to reject it. The Tribunal ought to have been mindful of the fact that business income are seldom static and are often faced with ups and down as well as the fact that Motor Vehicles Act, 1988 is a beneficial piece of legislation and ought to have taken the average of the three income tax returns in Ex-P.15 and Ex-P.20 to arrive at a just and fair compensation towards loss of income / dependency, as observed in *Nidhi Bhargava's Case* [cited *supra*].



23. As stated *supra*, Ex-P.15 and Ex-P.20 show an annual gross income of Rs.5,44,167/-, Rs.2,71,750/- and Rs.3,14,950/- for the assessment years 2015-2016, 2016-2017 and 2017-2018 respectively. The average annual gross income of these three assessment years comes to Rs.3,76,956/- ($\text{Rs.5,44,167} + \text{Rs.2,71,750} + \text{Rs.3,14,950} = \text{Rs.11,30,867} / 3 = \text{Rs.3,76,956/-}$). That being the annual gross income, the monthly gross income comes to Rs.31,413/-. This Court by taking this sum as a monthly income of the deceased shall now calculate the compensation towards loss of income / dependency.

24. The age of the deceased as per Ex-P.10 - Post Mortem Certificate is 56 years as on the date of accident, and his date of birth [January 16, 1961] as mentioned in Ex-P.14 - PAN Card substantiates the same. As per the dictum laid down by the Hon'ble Supreme Court in ***National Insurance Company Limited -vs- Pranay Sethi***, reported in (2017) 16 SCC 680, the future prospects is fixed at 10%, which comes to Rs.3,141/-. The monthly income of deceased with future prospects added comes to Rs.34,554/- ($\text{Rs.31,413/-} + \text{Rs.3,141/-}$). Thus, the annual income with future prospects comes to Rs.4,14,648/-.



25. The Tribunal erred in not deducting income tax. The accident occurred on August 30, 2017 and he passed away on September 23, 2017.

The relevant financial year is 2017-2018 and the relevant assessment year is 2018-2019. Relevant income tax slab rates are as tabulated below:

Income Tax Slab	Income Tax Rate	Cess
Income upto Rs.2,50,000/-	Nil	Nil
Income between Rs. 2,50,001/- - Rs. 5,00,000/-	5% of income exceeding Rs. 2,50,000/-	3% of income tax
Income between Rs.5,00,001/- - Rs. 10,00,000/-	20% of income exceeding Rs. 5,00,000/-	3% of income tax
Income above Rs.10,00,000/-	30% of income exceeding Rs. 10,00,000/-	3% of income tax

26. As per the relevant income tax slab rates, income tax and Cess payable on the annual income of Rs.4,14,648/-, is Rs.8,479/- [Rs.8232/- + Rs.247/-]. After deducting Income Tax and Cess, the annual income is Rs.4,06,169/-.

27. From the aforesaid amount, one-fourth deduction is to be made towards the personal expenses of the deceased, which comes to Rs.1,01,542/-. Deducting the said amount, the annual income would be Rs.3,04,627/-. At this point, it is relevant to refer to Judgment of Hon'ble Supreme Court in *Krithi -vs- Oriental Insurance Company Limited*,



reported in **(2021) 2 SCC 166**, wherein Hon'ble Supreme Court while dealing with deduction of personal expenses, held that subsequent death of a dependent ought not to be a factor to reduce the compensation amount.

Relevant extract reads thus:

"Analysis

I. Deduction for personal expenses

9. We have thoughtfully considered the rival submissions. It cannot be disputed that at the time of death, there in fact were four dependants of the deceased and not three. The subsequent death of the deceased's dependant mother ought not to be a reason for reduction of motor accident compensation. Claims and legal liabilities crystallise at the time of the accident itself, and changes post thereto ought not to ordinarily affect pending proceedings. Just like how the appellant claimants cannot rely upon subsequent increases in minimum wages, the respondent insurer too cannot seek benefit of the subsequent death of a dependant during the pendency of legal proceedings. Similarly, any concession in law made in this regard by either counsel would not bind the parties, as it is legally settled that advocates cannot throw away legal rights or enter into arrangements contrary to law. [Director of Elementary Education v. Pramod Kumar Sahoo, (2019) 10 SCC 674, para 11 : (2020) 1 SCC (Civ) 38 : (2020) 1 SCC (L&S) 42]

10. Any compensation awarded by a court ought to be just, reasonable and consequently must undoubtedly be guided by principles of fairness, equity and good conscience. [See Helen C. Rebello v. Maharashtra SRTC, (1999) 1 SCC



90, para 28 : 1999 SCC (Cri) 197] Not only did the family of the deceased consist of septuagenarian parents, but there were also two toddler girls, aged merely 3 and 4 years; each of whom requires exceptional care and expenditure till they reach the stage of self-dependency. Tragically, in addition to the married couple, the negligence of the driver also extinguished the life of the family's third child who was a foetus in Poonam's womb at the time of the accident. Thus, the appropriate deduction for personal expenses for both Vinod and Poonam ought to be 1/4th only, and not 1/3rd as applied by the Tribunal and the High Court, more so when there were four family members dependent on the deceased."

28. The Tribunal rightly deducted 1/4th towards personal expenses as the fourth petitioner being deceased's mother was very much alive as a dependant at the time of accident.

29. Further, appropriate multiplier as per the Judgment of the Hon'ble Supreme Court in **Sarla Verma -vs- Delhi Transport Corporation**, reported in (2009) 6 SCC 121 is '9'. Applying the multiplier of 9, the loss of dependency would be Rs.27,41,643/- [Rs.3,04,627/- X 9]. The calculation under the head of loss of income / dependency can be tabulated as hereunder:



Compensation under the Head of Loss of Income / Dependency			
S. No.	Particulars	Calculation	Amount (Rs.)
1	Monthly Salary	-	31,413/-
2	Add: Future Prospects @ 10%	$31,413 \times 10\% = 3,141$	34,554/-
3	Annual Income	$34,554 \times 12$	4,14,648/-
4	Less: Income Tax and Cess	$4,14,648 - 8,479$	4,06,169/-
5	Less: 1/4th Deduction and Annual Income after Deduction	$4,06,169 \times 1/4 = 1,01,542$ $4,06,169 - 1,01,542 = 3,04,627$	3,04,627/-
6	Applying Multiplier of 9	$3,04,627 \times 9$	27,41,643/-
Total Compensation		Rs.27,41,643/-	

30. This Court finds the compensation awarded by the Tribunal under other heads reasonable and based on evidence. Moreover, there is no serious contention against them. Hence, they are confirmed.

CONCLUSION

31. The compensation as modified by this Court is tabulated below:

S.No.	Head	Amount awarded by the Tribunal	Amount re-quantified by this Court
1	Loss of dependency	Rs.22,27,500/-	Rs.27,41,643/-
2	Loss of consortium to wife	Rs.40,000/-	Rs.40,000/-
3	Loss of estate	Rs.15,000/-	Rs.15,000/-
4	Funeral expenses	Rs.15,000/-	Rs.15,000/-
5	Loss of consortium to sons	Rs.80,000/-	Rs.80,000/-
6	Medical bills	Rs.2,16,616/-	Rs.2,16,616/-
Total		Rs.25,94,116/-	Rs.31,08,259/-
Rounded off to		Rs.25,94,500/-	Rs.31,08,500/-



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32. The second respondent / Insurance company is directed to deposit the **enhanced award amount of Rs.31,08,500/- (Rupees Thirty-One Lakh Eight Thousand Five Hundred Only)** along with interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit, to the credit of M.C.O.P. No.375 of 2018 on the file of Motor Accidents Claims Tribunal, (II Special Judge, Court of Small Causes), Chennai, less the amount if any already deposited, within a period of two months from the date of receipt of a copy of this Judgment. On such deposit being made, the petitioners / claimants are entitled to withdraw the same, by filing proper application. Apportionment shall be proportionate to that made by the Tribunal. On all other aspects, the Award of the Tribunal shall hold good.

33. In fine,

- (i) The Civil Miscellaneous Appeal filed by the petitioners/claimants in C.M.A. No.1928 of 2025 is allowed-in-part with proportionate costs throughout.
- (ii) The Civil Miscellaneous Appeal filed by the second respondent / Insurance Company in C.M.A. No.3449 of 2025 is dismissed.



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(iii) Considering the facts and circumstances of the case, there shall be no order as to costs in C.M.A. No.3449 of 2025.

(iv) Consequently, connected C.M.P. No.28456 of 2025 in C.M.A. No.3449 of 2025 is closed.

(v) In view of the Order passed in paragraph No.32 of this judgment, no separate order is necessary in CMP No.1481 of 2026 in CMA No.3449 of 2025 and accordingly, the same is also closed.

[N.S.K., J.]

[R.S.V., J.]

12.02.2026

Index : Yes
Neutral Citation : Yes
Speaking Order : Yes
TK

To
The Motor Accident Claims Tribunal
(II Special Court)
Small Causes Court
Chennai.



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