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C.M.A.No.974 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2026

CORAM:

THE HONOURABLE Mrs.JUSTICE R.KALAIMATHI

C.M.A.No.974 of 2026

K.Vatchala

... Appellant / Petitioner

vs.

Metropolitan Transport Corporation Limited,
Represented by its Managing Director,
Pallavan House, Anna Salai,
Chennai-600 002.

... Respondents / Respondents

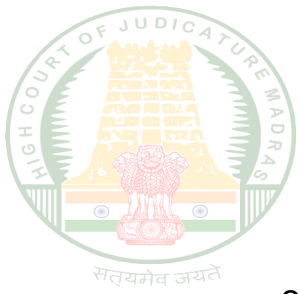
PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, against the Award dated 15.03.2024 passed in M.C.O.P.No.5210 of 2019 on the file of Motor Accident Claims Tribunal / IV Court of Small Causes, Chennai, for enhancement of compensation.

For Appellant : Mr.B.R.Sivasubramaniam

For Respondent : Mr.M.Murali Vinodh

JUDGMENT

This Civil Miscellaneous Appeal has been preferred by the Claimant against the Award dated 15.03.2024 passed in M.C.O.P.No.5210 of 2019 on the file of the Motor Accident Claims Tribunal / IV Judge, Court of Small Causes Court, Chennai, for enhancement of compensation.



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2. By consent, the matter is taken up for final hearing and arguments of both sides were heard.

3. Parties are indicated herein as per their litigative status and ranking before the Tribunal.

4. Claim petition was filed under Section 166 of Motor Vehicles Act, 1988, claiming compensation of Rs.25,00,000/- for the injuries sustained by the claimant in a road traffic accident that took place on 07.08.2019.

5. At trial, to substantiate the claim details, one witness was examined and nine documents were marked. On the respondent's side, driver of the respondent Corporation was examined as RW1. Ex.C1 is the disability certificate of the petitioner issued by the Regional Medical Board, Chennai.

6. The Tribunal upon consideration of case records and after hearing the arguments advanced by either side granted compensation of Rs.7,50,500/- with interest at 7.5% per annum from the date of claim



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petition payable by the respondent/Metropolitan Transport Corporation, Chennai. The amounts awarded under various heads are given hereunder:-

Towards Functional Disability – Rs.6,00,000/-; Towards Pain and Sufferings – Rs.50,000/-; Towards Transportation Charges – Rs.5,000/-; Towards Nutrition Expenses – Rs.5,000/-; Towards Damages to Clothes – Rs.1,000/-; Towards Attender Charges – Rs.39,500/-; Towards Loss of Amenities – Rs.50,000/-.

7. The learned counsel for the appellant/claimant would urge the following grounds for enhancement of compensation:-

(i) Notional income of the claimant was fixed at Rs.10,000/- is very less.

(ii) For loss of amenities and other heads including pain and sufferings, the amounts granted by the Tribunal is on the lower side.

8. Per contra, the learned counsel for the respondent - Transport Corporation strenuously contended that taking into account the age, avocation and income and other attending circumstances of the claimant, the amounts awarded by the Tribunal under various heads are quite



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reasonable and according to him, it does not call for any interference by this Court.

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9. The manner in which accident took place is not in dispute. It has come on record through the evidence of PW1 that on account of the accident, she suffered amputation of left leg above knee. Ex.P2 – Discharge Summary issued by Government Medical College Hospital, it is inferable that she has suffered amputation of left leg below knee, left leg middle ring finger and little finger amputation and right hand crush injury. The Medical Board assessed the disability at 90% partial permanent disability. PW1 would state that she was working as house maid. The Tribunal has taken notional income of the petitioner as Rs.10,000/- p.m. The monthly income claimed by the petitioner was accepted by the Tribunal and her notional income was fixed at Rs.10,000/- p.m. Therefore, notional income fixed by the Tribunal is less is not acceptable and hence rejected.

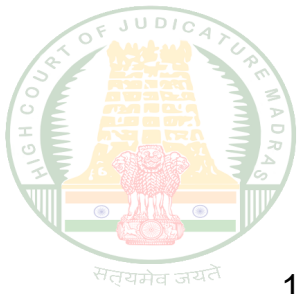
10. Date of accident is 07.08.2019. On account of the accident, Claimant suffered amputation of left leg below knee, amputation of left index and little finger, crush injury of right hand. She was hospitalised at Government Hospital, from 07.08.2019 to 24.10.2019 for about 79 days.



In the given circumstances, for Transport Expenses and for Extra Nourishment a sum of Rs.20,000/- under each head is granted in addition to the amount already granted by the Tribunal. Towards pain and sufferings and for loss of amenities a sum of Rs.50,000/- under each head is granted in addition to the amounts already granted by the Tribunal.

11. As regards other heads, the amounts granted by the Tribunal appears to be reasonable and acceptable and hence, it does not call for any interference by this Court. Therefore, the amounts awarded as mentioned supra, is reworked and tabulated below:-

Sl. No.	Description-	Amount awarded by Tribunal	Amount awarded by this Court	Award confirmed or enhanced or granted or reduced
1	Towards Functional Disability	Rs.6,00,000/-	Rs.6,00,000/-	Confirmed
2	Towards Pain and Sufferings	Rs. 50,000/-	Rs.1,00,000/-	Enhanced
3	Towards Transport Expenses	Rs. 5,000/-	Rs. 25,000/-	Enhanced
4	Towards Extra Nourishment	Rs. 5,000/-	Rs. 25,000/-	Enhanced
5.	Towards Damages to Clothes	Rs. 1,000/-	Rs. 1,000/-	Confirmed
6	Towards Attender Charges	Rs. 39,500/-	Rs. 39,500/-	Confirmed
7	Towards Loss of Amenities	Rs. 50,000/-	Rs.1,00,000/-	Enhanced
	Total	Rs. 7,50,500/-	Rs.8,90,500/-	



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12. Thus, the compensation awarded by the Tribunal is enhanced from Rs.7,50,500/- to **Rs.8,90,500/-** which would carry interest at the rate of 7.5% per annum from the date of petition.

13. In the result,

(i) This Civil Miscellaneous Appeal is partly allowed. No costs.

(ii) The compensation awarded by the Tribunal is enhanced from Rs.7,50,500/- to **Rs.8,90,500/-**.

(iii) The respondent / Transport Corporation is directed to deposit the compensation amount now determined by this Court i.e., **Rs.8,90,500/-** (less the amount already deposited if any) together with interest at the rate of 7.5% per annum from the date of claim petition **(excluding the period of default, if any)** to the credit of M.C.O.P.No.5210 of 2019 on the file of the Motor Accident Claims Tribunal / IV Judge, Court of Small Causes (to deal with the M.C.O.P.Cases), Chennai, within a period of eight weeks from the date of receipt of a copy of this Judgment.

(iv) On such deposit being made, the appellant/claimant is permitted to withdraw the amount now determined by this Court, along with interest and costs, after adjusting the amount, if any already withdrawn, by filing relevant application before the Tribunal.

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(v) The claimant is directed to pay the Court fee for the enhanced compensation amount, if required.

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(vi) The Tribunal below shall disburse the compensation amount upon production of the certified copy showing proof of payment of Court fee by the claimant.

01.06.2026

Index : Yes/No
Speaking / Non-speaking order
ssn

To:

1. The Motor Accident Claims Tribunal,
IV Judge, Court of Small Causes,
Chennai.
2. The Section Officer,
V.R.Section,
High Court of Madras,
Chennai.



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R.KALAIMATHI, J.,

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