



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-06-2026

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THE HON'BLE MR JUSTICE N. ANAND VENKATESH

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Civil Miscellaneous Appeal No.1906 of 2026

B.Krishnaprabhu
S/o.Baskar

..Appellant

Vs

1. Shankara Pipes India Private Ltd.,
Rep. by its Manager,
659, Trichy Road, Singanallur,
Coimbatore – 641 005.
2. United India Insurance Company Ltd.,
Rep. by its Branch Manager,
6/659, Trihcy Road,
Ramanathapuram, Coimbatore.

..Respondents

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act against the award dated 19.07.2024 made in MCOP No.1875 of 2014 on the file of the Exclusive Motor Accident Claims Tribunal at Tiruppur.

For Appellant : Mr.Ma.P.Thangavel

For Respondents : No appearance [R1]
Mr.D.Venkatachalam [R2]



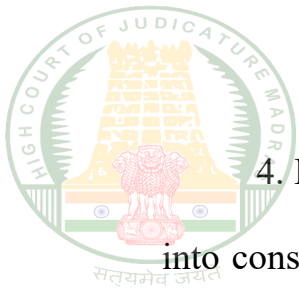
JUDGMENT

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This appeal has been filed by the claimant challenging the award passed by the Motor Accident Claims Tribunal, Tiruppur, in M.C.O.P.No.1875 of 2014 dated 19.07.2024 dismissing the claim petition.

2. The appellant, who is the claimant, filed the claim petition on the ground that on 09.03.2014, when he was standing near Vidhayalayam bus stop on the Palladam road, at about 22.30 hours, the offending vehicle, which is a two wheeler, was driven in a rash and negligent manner and hit the claimant as a result of which the claimant sustained grievous injuries and was treated in Government Hospital, Tirupur and thereafter, the claimant took treatment in a private hospital. It is under these circumstances, the claim petition came to be filed before the Tribunal.

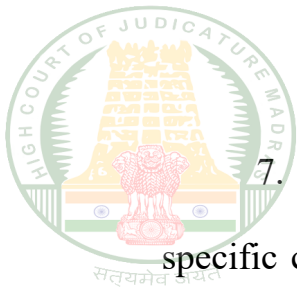
3. The Tribunal, on considering the facts and circumstances of the case and on appreciation of oral and documentary evidence, came to a conclusion that the very claim made by the appellant is doubtful and the appellant has not established negligence on the part of the offending vehicle. Accordingly, the Tribunal proceeded to dismiss the claim petition.



4. Learned counsel for appellant submitted that the Tribunal failed to take into consideration the deposition of PW-1 and First Information Report, which was marked as Ex.P1. Learned counsel submitted that there was no contra evidence on the side of the second respondent insurance company. Therefore, the Tribunal ought to have held the issue of negligence in favour of the appellant and fixed the compensation.

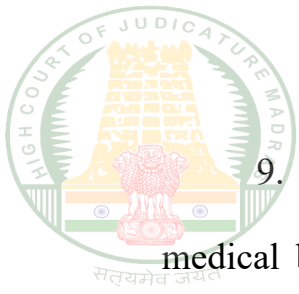
5. *Per contra*, learned counsel appearing on behalf of the second respondent insurance company submitted that the very registration of the First Information Report was shrouded in mystery since the claimant took a stand that the First Information Report was registered based on the complaint given by the claimant whereas the First Information Report shows that it was based on the complaint given by some relatives. Apart from that, the very medical records that was produced by the appellant did not reflect that the injuries were sustained due to any accident. Learned counsel submitted that the Tribunal has appreciated the evidence and has rendered a finding and the same does not warrant the interference of this Court.

6. This Court has carefully considered the submissions made on either side and the materials available on record.



7. This is a case where the accident had taken place on 09.03.2014. The specific case of the appellant is that the complaint was given by the appellant and the First Information Report (Ex.P1) was registered based on the said complaint. The Tribunal found that in the complaint, the appellant took a stand that the accident occurred on 09.03.2014 at 10.30 p.m. and immediately, after the accident, he was taken to the Government Hospital, Tirupur and thereafter, treated in a private hospital. After getting treatment in the private hospital, the claimant went to the police station and gave the complaint. However, during cross-examination, the claimant has stated that the complaint was given by his mother and relatives two days after the accident since the claimant has taken treatment as inpatient for 4 to 5 days. Apart from the First Information Report, the claimant did not produce any other document and had not examined any witness.

8. The Tribunal, thereafter, went into the discharge summary that was marked as Ex.P2. In the discharge summary, it was mentioned that the claimant had suffered RTA with head injury. It was also seen that the claimant had got discharged against medical advice. There was no indication that the claimant got admitted after sustaining injuries in an accident and the Tribunal also found that there is some manipulation in this document since the name and age of the appellant has been corrected by using a whitener.



9. Apart from the above, the Tribunal also took into consideration the medical bills that were marked as Ex.P5. Curiously, in some of the medical bills, there is mention about 'sun feast biscuit' & 'fair and lovely' *etc.* and therefore, the very authenticity of the medical bills produced by the claimant was doubted by the Tribunal. The finding rendered by the Tribunal was on appreciation of evidence and unless and otherwise this Court finds that there is some perversity, there is no question of interfering with the same in the appeal. In the light of the above discussion, this Court does not find any merit in the appeal.

Accordingly, this Civil Miscellaneous Appeal is dismissed. No costs.

29-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
gm

To

The Exclusive Motor Accident Claims Tribunal,
Tiruppur.



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N.ANAND VENKATESH, J.

gm

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