



C.M.A.No.3888 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.01.2026

Coram:

THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

C.M.A.No.3888 of 2025

The Managing Director,
Tamil Nadu State Transport Corporation
(Coimbatore Division) Ltd.,
No.37, Mettupalaym Road,
Coimbatore – 641 043.

.... Appellant

Vs

1.Abibur Raghuman
Rep. by his POA Ayub Khan

2.G.Kamatchsundaram

.... Respondents

Prayer : Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, against Judgment and Decree dated 22.11.2023 made in M.C.O.P.No.288 of 2019 on the file of the Motor Accident Claims Tribunal (Subordinate Court), Udumalpet.

For Appellant	:	Mr.M.Murali Vinodh.
For R1	:	Ms.S.Manimegalai

JUDGMENT

This Civil Miscellaneous Appeal has been filed challenging the order dated 22.11.2023 made in M.C.O.P.No.288 of 2019 on the file of the Motor Accidents Claim Tribunal (Subordinate Court), Udumalpet.



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2.The brief facts of the case are as follows :

“On 05.02.2019 at about 10.45 p.m., the petitioner was travelling as a pillion rider on a two wheeler bearing Registration No.TN-38-T-1069, driven by Mohamed Thoufiq. While they were proceeding on the left side of the Udumalpet-Palai Road, near Venjamadai EB Office, the first respondent, who was driving a Government Bus bearing Registration No.TN-38-N-2959 from the opposite direction, drove the bus in a rash and negligent manner and collided with the motorcycle. As a result of the accident, both the petitioner and the rider were thrown off the vehicle and fell on the road and sustained grievous injuries. The petitioner was initially given first aid at the Government Hospital, Udumalpet, and thereafter he underwent specialized treatment as an inpatient at Coimbatore CMC Hospital and Ramakrishna Hospital from 06.02.2019 to 02.03.2019, followed by further treatment at Coimbatore Ortho Hospital and ESI Hospital. The petitioner also underwent surgery and incurred medical expenses exceeding Rs.5,00,000/- FIR was registered against the driver of the offending vehicle. Therefore, the petitioner filed the claim petition seeking a sum of Rs.50,00,000/- as compensation”.



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3. At the time of accident, the claimant was aged about 21 years and was earning a sum of Rs.12,000/- per month. Due to the injuries sustained in the said accident, he was unable to attend his work for some time. Therefore, the petitioner/claimant was constrained to file the above claim petition claiming compensation of Rs.50,00,000/- for the injuries and losses suffered by him in the said accident.

4. The State Transport Corporation/2nd respondent, in the counter statement before the Tribunal, has denied the allegation that the accident occurred due to the rash and negligent driving of the driver of the bus. The other aspect regarding the claim made by the claimant as compensation under the various heads is also stated as highly excessive and without any proof.

5. The Tribunal, after framing necessary issues and examining the witnesses, came to the conclusion that the driver of the offending vehicle was responsible for the accident and accordingly, awarded a sum of Rs.21,15,000/-. Aggrieved by the said award passed by the Tribunal, the State Transport Corporation has preferred the present appeal.



6. In this appeal, the challenge is mainly with regard to the quantum of compensation. The learned counsel appearing for the appellant/State Transport Corporation submitted that the quantum of compensation awarded by the Tribunal is not in consonance with the facts and circumstances of the case and provisions as laid down in the statute. He would submit that the Tribunal has erroneously relied upon the disability certificate issued by the Medical Board and awarded a sum of Rs.18,14,400/- under the head of partial permanent disability by fixing Rs.12,000/- per percentage of disability, by taking into account the year of accident found to be excessive. He also submitted that the compensation awarded under the head of loss of income is also incorrect and the same requires reconsideration by this Court.

7. Heard the learned counsel appearing for the appellant and perused the materials available on record.

8. On a careful consideration of the impugned award, this Court finds that the Tribunal, after taking into consideration the age of the claimant, the nature of injuries sustained by him, his avocation and the year of accident, has rightly awarded a sum of Rs.21,15,000/-, which



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seems to be just and reasonable compensation. This Court does not find any perversity or infirmity in the award passed by the Tribunal. The award is passed in accordance with the provisions of the Motor Vehicles Act and therefore, it does not warrant any interference by this Court.

9. Accordingly, this Civil Miscellaneous Appeal stands dismissed.

No costs.

22.01.2026

Speaking/Non-speaking Judgment

Internet: Yes/No

Index: Yes/No

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To

1.The Motor Accident Claims Tribunal (Subordinate Court),
Udumalpet.

2.The Section Officer,
Vernacular Section,
High Court, Madras.



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K. GOVINDARAJAN THILAKAVADI, J.

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