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CRP No. 302 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 302 of 2026

AND

CMP NO. 1623 OF 2026,CMP NO. 1626 OF 2026

1. R.W.H.Ghyaz Ahmed
No.57. Law Chamber, High Court,
Madras 600104, residing at No.57, 2nd
Floor, Kuppu Muthu Street, Ellis Road,
Triplicane, Chennai - 600005, Presently
residing at No.58, CNK Road,
Triplicane , Chennai - 600005.

Petitioner(s)

Vs

1. The Chairman/Managing Director
Metropolitan Transport Corporation
Ltd., No.2, Pallavan House, Pallavan
Salai, Chennai - 600002.

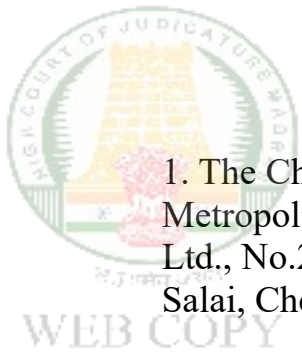
Respondent(s)

CMP No. 1623 of 2026

1. R.W.H.Ghyaz Ahmed
No.57. Law Chamber, High Court,
Madras 600104, residing at No.57, 2nd
Floor, Kuppu Muthu Street, Ellis Road,
Triplicane, Chennai - 600005, Presently
residing at No.58, CNK Road,
Triplicane , Chennai - 600005.

Appellant(s)

Vs



1. The Chairman/Managing Director
Metropolitan Transport Corporation
Ltd., No.2, Pallavan House, Pallavan
Salai, Chennai - 600002.

Respondent(s)

CMP No. 1626 of 2026

1. R.W.H.Ghyaz Ahmed
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Appellant(s)

Vs

1. The Chairman/Managing Director
Metropolitan Transport Corporation
Ltd., No.2, Pallavan House, Pallavan
Salai, Chennai - 600002.

Respondent(s)

CRP No. 302 of 2026

PRAYER

To set aside the order dt. 15.07.2025 in MP.No.2 of 2025 in M.C.O.P.No.3022 of 2023 on the file of the V-Small Causes Court, Chennai and consequently may be pleased to allow No Fault Liability Claim with 12 percent interest U/S 164 of M.V.Act 1988 as Amended in 2022 and thus render justice.

CMP No. 1623 of 2026

PRAYER

To stay the M.C.O.P.No.3022 of 2023 on the file of the V Small Causes Court, Chennai pending disposal of the above C.R.P. and thus render justice.

CMP No. 1626 of 2026

PRAYER

To direct the Tamil Nadu Medical Board, Regional Office, Rajiv Gandhi Government General Hospital, Chennai - 3, Opp. To Central Railway Station, Chennai to reassess the Permanent Disability of the Petitioner and furnish the copy and thus render justice.



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CRP No. 302 of 2026



CRP No. 302 of 2026

For Petitioner(s): R.W.H.Ghyaz Ahmed (party in person)
For Respondent(s): No appearance

ORDER

The petitioner has filed this petition to set aside the order dt. 15.07.2025 in MP.No.2 of 2025 in M.C.O.P.No.3022 of 2023 on the file of the V-Small Causes Court, Chennai and consequently may be pleased to allow No Fault Liability Claim with 12 percent interest U/S 164 of M.V.Act 1988 as Amended in 2022.

2. Before the Tribunal, the claimant/insured filed an application under Section 164 of the Motor Vehicles Act seeking interim compensation. However, the Tribunal dismissed the application, directing the claimant either to amend the main claim petition from Section 166 to Section 164 or to file a fresh application. Aggrieved by the said order, the present revision has been filed.

3. The revision petitioner submitted that he met with a road accident on 29.09.2022, as a result of which he sustained severe fractures. He has claimed compensation of Rs. 1,52,45,000/-. The petitioner further submitted that he, being an advocate by profession and aged about 62 years, has been unable to continue his profession due to the injuries and has suffered for more than a year.



In order to meet medical expenses and compensate for pain and suffering, he sought interim relief.

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4. Accordingly, he approached the Tribunal by filing an interim application in M.P. No. 2 of 2025 in MCOP.No.3022 of 2023, under Section 164 of the Motor Vehicles Act. However, the Tribunal failed to consider the same properly and erroneously dismissed the application, leading to the present revision.

5. The petitioner submitted that under the principle of no-fault liability, he is entitled to invoke Section 164 and claim interim compensation. In support of this contention, reliance was placed on the judgment in *Gohar Mohammed Vs Uttar Pradesh State Road Transport Corporation* held in Page No.37, as follows:

“The aforesaid provision has been brought where the claimants is not required to plead or establish any wrongful act or neglect or default of the owner of the vehicle or of any other person for payment of compensation. Therefore sub section(1) has been given overriding effect limiting the liability to pay compensation to the tune of Rs. 5 Lakhs in case of death and Rs. 2.50 lakhs in case of grievous hurt to the legal heirs or to the victim, as the case may be. It is further made clear the compensation, if payable in any other law, then such amount is required to be reduced from the amount of compensation payable under this section, meaning



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thereby the legislative intent is clear that a person, who has suffered with an accident must be compensated just and reasonably and the victim/family of the deceased must be paid for the bodily injury or loss of life caused by an accident by use of a motor vehicle at a public place”

6. The petitioner also submitted that, before the Tribunal, no objection was raised by the respondent. However, the Tribunal declined to apply the said provision, as reflected in paragraph 37 of its order. It is made clear that if any amount is paid under Section 164, the same is liable to be deducted from the final compensation awarded under Section 166.

7. Thus, interim relief is permissible under the statutory scheme, and up to Rs. 2,50,000/- can be awarded for grievous injuries under Section 164, which can later be adjusted against the final compensation in the main claim petition. The Tribunal, however, failed to grant such relief, which is erroneous.

8. The Motor Vehicles Act is a beneficial legislation, and the provisions must be applied in a purposive manner rather than on technical or hypothetical grounds. The Tribunal has failed to adopt such an approach. Accordingly, the impugned order passed in MP.No.2 of 2025 in M.C.O.P.No.3022 of 2023 on the file of the V-Small Causes Court, Chennai, is set aside, and the same is allowed.



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9. The claimant shall also be entitled to interest under Section 171 of the Motor Vehicles Act at the rate of 9% per annum from the date of filing M.P. No. 2 of 2025 till the date of payment.

10. The first respondent is directed to pay the interim compensation along with interest, as directed by this Court, within a period of four weeks from the date of receipt of a copy of this order.

11. In view of the above, **this Civil Revision petition is disposed of.** Consequently, the connected miscellaneous petitions are closed. No Costs.

12. Insofar as CMP.No.1626 of 2026 in CRP.No.302 of 2026 is concerned, the petitioner has prayed to direct the Tamil Nadu Medical Board, Regional Office, Rajiv Gandhi Government General Hospital, Chennai, to reassess the permanent disability of the petitioner.

13. Upon considering the facts and circumstances of the case, the prayer sought by the petitioner in **CMP.No.1626 of 2026 in CRP.No.302 of 2026 is allowed.** Accordingly, the petitioner is directed to appear before the Tamil Nadu



Medical Board, Regional Office, Rajiv Gandhi Government General Hospital,
Chennai, on or before 14.05.2026 for reassessment of the permanent disability.

The concerned Doctor of the Medical Board shall reassess the disability and
furnish a report to the V-Small Causes Court, Chennai, on or before 04.06.2026.

24-04-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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Note: Issue order copy by 28.04.2026



To

1. The Chairman/Managing Director
Metropolitan Transport Corporation
Ltd., No.2, Pallavan House, Pallavan
Salai, Chennai – 600002.

2. The V-Small Causes Court, Chennai.

3. The Section Officer, VR Section,
High Court of Madras.



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T.V.THAMILSELVI J.
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