



C.M.A.No.3831 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2026

CORAM:

THE HONOURABLE Mrs.JUSTICE R.KALAIMATHI

C.M.A.No.3881 of 2025

and

C.M.P.No.32690 of 2025

The Managing Director,
TNSTC CBE Ltd.,
Tamil Nadu State Transport Corporation,
Regional Office, Ooty.

... Appellant / Respondent

vs.

1.K.N.Kalaivani
2.R.K.Sivin(Minor)
(2nd Minor Petitioner
rep. by his Mother, next friend,
1st petitioner herein)

... Respondents / Petitioners

PRAYER: Civil Miscellaneous Appeal is filed Section 173 of the Motor Vehicles Act, 1988, against the Award dated 17.03.2025 made in M.C.O.P.No.933 of 2022 on the file of the Motor Accident Claims Tribunal, Chief Judge, Court of Small Causes, Chennai.

For Appellant : Mr.M.Murali Vinodh

For Respondents : Mr.M.R.Radhakrishnan



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JUDGMENT

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This Civil Miscellaneous Appeal has been preferred by the Managing Director of the Respondent / Transport Corporation against the Award dated 17.03.2025 passed in M.C.O.P.No.933 of 2022 on the file of the Motor Accident Claims Tribunal / Chief Judge, Court of Small Causes, Chennai, as regards negligence issue.

2. Case of the claimants is that on 29.01.2020 at about 12.45 p.m., while the deceased was driving his Wagon-R Car bearing Reg.No.TN-39-AD-2490 along Avinashi-Annur road from east to west direction at the point of Nariyampalli Puthur Power House, the TNSTC bus bearing Reg.No.TN-43-N-0753 came in a rash and negligent manner from the opposite direction and dashed against the car. In the result, the deceased along with other occupants of the car sustained grievous injuries and the driver of the car succumbed to the injuries on the spot.

3. To this effect, on the claimants' side one eye-witness Tvl.Sasikumar has been examined as PW2. He has deposed in line with the case of the claimants as mentioned supra. Nothing advantageous to the respondent was elicited through the cross-examination of PW2. On the



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side of the respondent, no ocular witness was examined. In such circumstances, the Tribunal has come to a conclusion that it is because of the rash and negligent driving of the driver of the TNSTC Bus, accident occurred and the liability to pay compensation is fastened upon the respondent cannot be found fault with.

4. In view of the aforestated narrative, this Civil Miscellaneous Appeal stands rejected at the admission stage itself. Sequel to this, the Award dated 17.03.2025 made in M.C.O.P.No.933 of 2022 on the file of the Motor Accident Claims Tribunal / Chief Judge, Court of Small Causes, Chennai, is confirmed. There is no order as to costs. Consequently, connected Civil Miscellaneous Petition is closed.

11.03.2026

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

To:

1. The Chief 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.,

ssn

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