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C.M.A.No.214 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.02.2026

Coram:

THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

C.M.A.No.214 of 2026

The Managing Director,
TNSTC Salem Limited,
Office working at No.12,
Ramakrishna Road, Salem.

.... Appellant

Vs

1.N.Gayathru
2.Minor S.Nameesh
3.Minor S.Harithasri
4.K.Chandra
5.C.Alamelu
6.K.Madheshwaran

.... Respondents

Prayer : Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, to set aside the Judgment and Decree passed in MCOP No.462 of 2023 passed by the Motor Accidents Claims Tribunal Special District Court, Erode, on 03.06.2025.

For Appellant	:	Mr.D.Nitin
For R1 to R5	:	Mr.N.Palani Kumar
For R6	:	Notice dispensed with

JUDGMENT

This Appeal has been filed under Section 173 of Motor Vehicles Act by the appellant/Tamil Nadu State Transport Corporation, seeking enhancement of compensation awarded by the Claims Tribunal.



C.M.A.No.214 of 2026

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

On 11.09.2022, at about 11.15 a.m, the deceased was travelling as a pillion rider in the Yamaha motorcycle bearing Registration No.TN-33-AV-7488, ridden by one Ramesh on the edge of the Kovai to Salem south-north NH main road, near Appathal Kovil Junction, Nasiyanoor, Chithode at a minimum speed. At that time, a bus bearing Registration No.TN-30-N-1911 proceeding from north to south, was driven in a rash and negligent manner and dashed against the motorcycle and caused the accident. Due to the impact, the deceased was thrown off the motorcycle and sustained multiple grievous injuries all over his body. He succumbed to the injuries on the way to the hospital. The accident occurred only due to the rash and negligent driving of the driver of the said bus. FIR was registered against the driver of the offending vehicle. At the time of accident, the claimant was aged about 30 years and was worked at Velavan Traders, earning a monthly income of Rs.25,000/- per month. Under such circumstances, the legal heirs of the deceased C.Suresh filed a claim petition seeking compensation of Rs.50,00,000/-.

3. On the other hand, the respondent/Tamil Nadu State Transport Corporation resisted the claim petition contending that the petition is not maintainable for non-joinder of necessary parties, viz., the insurer of the



C.M.A.No.214 of 2026

motorcycle. It is further stated that the rider of the two wheeler suddenly crossed the road without noticing the oncoming bus and dashed against the front portion of the bus and caused the accident. Therefore, according to the respondent, the accident occurred only due to the negligence of the rider of the two wheeler. It was further contended that the rider of the two wheeler failed to wear a helmet and that the claimants were bound to prove that the rider of the two wheeler possessed a valid driving license at the time of accident. The Corporation also denied the age, occupation and income of the deceased. Hence, the second respondent Corporation is not liable to pay any compensation to the claimants.

4. 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.34,68,000/-. Aggrieved by the said award passed by the Tribunal, the Corporation has preferred the present appeal.

5. In the grounds of appeal, the appellant/Tamil Nadu State Transport Corporation has contended that the compensation awarded by the tribunal is excessive and not based on settled legal principles. It is further contended that



the monthly income of the deceased fixed by the Tribunal at Rs.15,000/- is highly excessive in the absence of any documentary evidence. He has also contended that the age of the deceased being taken as 30 years by the Tribunal without proper proof is also not justified. Similarly, by applying multiplier 17, the Tribunal arrived the loss of income which is also on the higher side. The learned counsel submitted that the quantum of compensation awarded by the Tribunal is not in consonance with the facts and circumstances of the case and the provisions laid down under the statute, and therefore, the same requires reconsideration by this Court.

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

7. On a careful consideration of the impugned award, this Court finds that the Tribunal, after taking into consideration the age of the deceased, his avocation and the year of accident, has rightly awarded a sum of Rs.34,68,000/-, which 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 has been passed in accordance with the provisions of the Motor Vehicles Act and therefore, it does not warrant any interference by this Court.



C.M.A.No.214 of 2026

WEB COPY

8. Accordingly, this Civil Miscellaneous Appeal stands dismissed. No costs.

05.02.2026

Speaking/Non-speaking Judgment

Internet: Yes/No

Index: Yes/No

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To

1. The Motor Accidents Claims Tribunal,
Special District Court,
Erode.

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



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C.M.A.No.214 of 2026

K. GOVINDARAJAN THILAKAVADI, J.

Lpp

C.M.A.No.214 of 2026

05.02.2026