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C.M.A.No.345 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2026

CORAM:

THE HON'BLE MRS.JUSTICE K.GOVINDARAJAN THILAKAVADI

C.M.A.No.345 of 2026

Natarajan @ Nataraj

...Appellant

Vs.

1.Tamilanban

2.The Branch Manager,
The New India Assurance Co. Ltd.,
No.21A/18, First Floor,
Nethaji Bye-pass Road,
Dharmapuri – 636 701.

...Respondents

Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of Motor Vehicles Act, 1988 praying to allow the appeal and enhance the compensation in M.C.O.P.No.933 of 2022 dated 13.08.2025 on the file of the Motor Accidents Claims Tribunal (Chief Judicial Magistrate, Dharmapuri).

For Appellant : Mr.S.Velmurugan

For Respondent – 1 : Notice Dispensed withdraw

For Respondent – 2 : Mr.J.Chandran



JUDGMENT

This Civil Miscellaneous Appeal has been preferred by the appellant/claimant seeking to enhance the quantum of compensation awarded by the learned Chief Judicial Magistrate, Motor Accident Claims Tribunal, Dharmapuri vide Order dated 13.08.2025 in M.C.O.P.No.933 of 2022.

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

On 20.09.2022, at about 8.30 p.m., when the appellant/claimant was walking on the left side of the Dharmapuri – Salem Main Road opposite to Kamalam Hospital, Dharmapuri, a Honda CD 110 motorcycle bearing Registration No.TN 29 BF 9774 which was driven by its rider in a rash and negligent manner, hit the appellant/claimant, due to which, the appellant/claimant had sustained multiple grievous injuries all over his body. Therefore, the appellant/claimant had filed a Claim Petition in M.C.O.P.No.933 of 2022 against the 1st respondent (owner of the offending vehicle) and 2nd respondent/Insurance Company (insurer of the offending vehicle) claiming a sum of Rs.20,00,000/- as compensation for the multiple grievous injuries sustained by him.

3. The 1st respondent (owner of the offending vehicle) had remained *ex parte* before the Tribunal.



4. The 2nd respondent/Insurance Company (insurer of the offending vehicle) had filed its counter statement denying all the averments made by the appellant/claimant in the Claim Petition.

5. Before the Tribunal, on the side of claimant, appellant/claimant examined himself as P.W.1 and 14 documents were marked as Exs.P1 to P14. On the side of Insurance Company, no one was examined as witness and no documents were marked as exhibits. The Disability Certificate issued to the appellant/claimant was marked as Ex.C1.

6. On appreciation of the oral and documentary evidence, the Tribunal has arrived at the finding that the accident had occurred due to the rash and negligent driving of the rider who drove the motorcycle.

7. The Tribunal has awarded a sum of Rs.2,18,415/- as compensation to the appellant/claimant. The break-up details of the compensation awarded by the Tribunal are as follows:

S.No.	Heads	Amount awarded under various Heads
1	Pain and Sufferings	Rs.20,000/-
2	Loss of Amenities	Rs.15,000/-
3	Loss of Income	Rs.16,000/-
4	Medical Expenses as per Ex.P10	Rs.94,415/-
5	Transport Expenses	Rs.30,000/-



6	Permanent Disability	Rs.28,000/-
7	Attender Charges	Rs.5,000/-
8	Nourishment Charges	Rs.10,000/-
Total		Rs.2,18,415/-

8. The Tribunal vide Order dated 13.08.2025, partly allowed M.C.O.P.No.933 of 2022 and directed the 2nd respondent/Insurance Company (insurer of the offending vehicle) to pay a sum of Rs.2,18,415/- as compensation to the appellant/claimant, with proportionate cost and interest at 7.5% per annum from the date of claim petition till the date of realization.

9. Now, the appellant/claimant has preferred this Civil Miscellaneous Appeal before this Court, seeking to enhance the quantum of compensation awarded by the Tribunal.

10. Mr.S.Velmurugan, learned counsel for appellant/claimant submitted that though the appellant/claimant had claimed Rs.20,00,000/- as compensation for the injuries sustained by him in the accident, the Tribunal has awarded only a sum of Rs.2,18,415/- as compensation to the appellant/claimant. He further submitted that in the accident occurred on 20.09.2022, appellant/claimant had suffered ACL & MCL ligament tears and meniscus injury. The appellant/claimant had spent around Rs.1,94,481/- for his medical treatment. However, at the time of filing the Claim Petition, the appellant/claimant had



enclosed the Medical Bills to the tune of Rs.94,481/- only and he failed to enclose the Medical Bill paid by him to the tune of Rs.1,00,000/-. Based on Ex.P10 (Medical Bills submitted by the appellant/claimant), the Tribunal had awarded a sum of Rs.94,415/- towards “Medical Expenses”. While filing this Civil Miscellaneous Appeal, the appellant/claimant has enclosed the Medical Bill paid by him to the tune of Rs.1,00,000/- in the form of typed set of papers. Therefore, the learned counsel prayed that the amount awarded by the Tribunal towards “Medical Expenses” may be enhanced by Rs.1,00,000/-.

11. On the other hand, Mr.J.Chandran, learned counsel appeared on behalf of 2nd respondent/Insurance Company submitted that the amount awarded by the Tribunal towards “Medical Expenses” as well as all other heads are just and reasonable and hence, the same need not be enhanced.

12. Heard the learned counsel for appellant/claimant as well as the learned counsel appeared on behalf of 2nd respondent/Insurance Company.

13. From a perusal of the materials available on record, it is evident that the appellant/claimant had sustained multiple grievous injuries in the accident occurred on 20.09.2022. It is also evident that as rightly pointed out by the learned counsel for appellant/claimant, appellant/claimant had spent around Rs.1,94,481/- for his medical treatment.



14. Considering the submissions made by the learned counsel for appellant/claimant, this Court is inclined to enhance the amount awarded by the Tribunal towards “Medical Expenses”. Accordingly, the amount of Rs.94,415/- awarded towards “Medical Expenses” is enhanced as Rs.1,94,415/-.

15. The compensation awarded by the Tribunal under all other heads are just and reasonable and hence, the same are confirmed.

16. The break-up details of the enhanced compensation are as follows:

S.No.	Heads	Amount awarded by the Tribunal (Rs.)	Amount awarded by this Court (Rs.)	Award Confirmed or Enhanced or Granted
1	Pain and Sufferings	Rs.20,000/-	Rs.20,000/-	Confirmed
2	Loss of Amenities	Rs.15,000/-	Rs.15,000/-	Confirmed
3	Loss of Income	Rs.16,000/-	Rs.16,000/-	Confirmed
4	Medical Expenses as per Ex.P10	Rs.94,415/-	Rs.1,94,415/-	Enhanced
5	Transport Expenses	Rs.30,000/-	Rs.30,000/-	Confirmed
6	Permanent Disability	Rs.28,000/-	Rs.28,000/-	Confirmed
7	Attender Charges	Rs.5,000/-	Rs.5,000/-	Confirmed
8	Nourishment Charges	Rs.10,000/-	Rs.10,000/-	Confirmed
Total		Rs.2,18,415/-	Rs.3,18,415	Enhanced by 1,00,000/-



17. In the result, this Civil Miscellaneous Appeal is partly allowed and the compensation of Rs.2,18,415/- awarded by the Tribunal is enhanced to Rs.3,18,415/- (Rupees Three Lakhs Eighteen Thousand Four Hundred and Fifteen only). The 2nd respondent/Insurance Company is directed to deposit the enhanced compensation of Rs.3,18,415/-, after deducting the amount(s), if any, already deposited, along with interest at 7.5% per annum from the date of petition till the date of deposit (excluding the default period, if any), to the credit of M.C.O.P.No.933 of 2022, within a period of six weeks from the date of receipt of a copy of this judgment. On such deposit being made, appellant/claimant is permitted to withdraw the enhanced award amount along with proportionate interest and cost. The appellant/claimant is directed to pay the necessary Court fee, if any, on the enhanced award amount, before receiving the copy of this judgment. No costs.

27.02.2026

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Index: Yes/No

Speaking (or) Non-Speaking Order

Neutral Citation: Yes/No



To

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- 1.The Chief Judicial Magistrate,
Motor Accident Claims Tribunal,
Dharmapuri.
- 2.The Section Officer,
Vernacular Records Section,
High Court, Madras.



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K.GOVINDARAJAN THILAKAVADI, J.

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