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C.M.A.No.276 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2026

CORAM:

THE HON'BLE MRS. JUSTICE K.GOVINDARAJAN THILAKAVADI

C.M.A.No.276 of 2026

K. Veeramani

... Appellant

Versus

The Superintendent of Police,
District Police Office,
Cuddalore – 607 001.

... Respondent

PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, pleaded to enhance the award made in M.C.O.P.No.1385 of 2022, dated 12.12.2024, on the file of the Motor Accidents Claims Tribunal/Special District Court-I, Cuddalore.

For Appellant	: Ms. Ramya V. Rao
For Respondent	: Mr. P. Gurunathan, Additional Government Pleader.



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JUDGMENT

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This Civil Miscellaneous Appeal is directed as against the award passed in M.C.O.P.No.1385 of 2022, dated 12.12.2024 on the file of the Motor Accidents Claims Tribunal/Special District Court-I, Cuddalore.

2. Briefly stated, on 23.05.2022 at about 03.30 hours when the petitioner was riding a Hero Honda Splendor two wheeler, bearing TN 09 AR 1803 with a pillion namely one Madhankumar, on Kaatukkodalur-Kollukkarankuttai road, opposite to K.K.Pushpa complex, from West to East direction, a Mahindra Bolero bearing Reg.No.TN-31-G-0956, owned by the Respondent, was driven by its driver in a rash and negligent manner, dashed against the petitioner's vehicle and caused the accident, due to which the petitioner suffered fractures on his right leg, thigh and fracture on his right shoulder and on both sides of his back bone. He was admitted as inpatient in Panrutti Government Hospital and was later shifted to Abirami Hospital for further treatment. The claimant filed the above M.C.O.P claiming a compensation of Rs.20,00,000/- for the injuries sustained in the said accident, contending that the respondent being the owner of the vehicle, is severally liable to pay the compensation to the petitioner with interest and cost.



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3. The respondent/Police resisted the claim petition by stating that the petitioner was driving in urgency mode to distribute marriage invitations, and when the petitioner tried to overtake another vehicle in the same direction, without noticing the oncoming respondent's vehicle, it dashed against the Mahindra Bolero due to his own negligence. Hence, the respondent is not liable to pay any compensation to the claimant and prayed for dismissal of the claim petition.

4. The claims Tribunal framed necessary issues and came to a conclusion that the accident took place only due to the rash and negligent driving of the Respondent vehicle and awarded a compensation of Rs. 19,81,500/- to the claimant.

5. Seeking enhancement of compensation, the present civil miscellaneous Appeal is filed by the claimant.

6. The learned counsel for the appellant/claimant contended that the compensation awarded by the Tribunal is inadequate. The injured was 24 years old and was earning a sum of Rs. 20,000/- per month, but the Tribunal had taken his income only as Rs.10,000/- per month. She further contends that the



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tribunal ought to have considered loss of earning capacity at 100% as the injured was a coolie and will not be able to perform his work as before. Hence, prayed for enhancement of the compensation awarded by the Tribunal.

7. Per contra, the learned counsel for the respondent submitted that the award passed by the learned Tribunal is just and reasonable, which warrants any interference by this Court.

8. Heard both sides and records perused.

9. Considering the facts and circumstances of this case, the year of accident and the plight of the claimant, this Court deems it fit to enhance the monthly income to Rs.15,000/- and add 40% towards future prospects. The amount awarded for disability of 65% with loss of income at Rs. 15,000/- along with future prospects of 40%, and using multiplier 18, it is enhanced to Rs.29,48,400/- $(15,000 + 40\% \times 12 \times 18 \times 65\%)$. Compensation granted by the Tribunal under the other heads are confirmed.

10. Therefore, the compensation awarded by this court after enhancement of income, are as follows:



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S.No.	Description	Amount awarded by Tribunal (Rs.)	Amount awarded by this Court (Rs.)	Award confirmed or enhanced or granted
1.	Loss of income	14,04,000	29,48,400	Enhanced
2.	Pain and suffering	1,50,000	1,50,000	Confirmed
3.	Transportation	10,000	10,000	Confirmed
4.	Extra Nourishment	30,000	30,000	Confirmed
5.	Attender Charges	30,000	30,000	Confirmed
6.	Loss of amenities	1,00,000	1,00,000	Confirmed
7.	Loss of clothes	2,000	2,000	Confirmed
8.	Medical bills	2,55,136	2,55,136	Confirmed
	TOTAL	19,81,500/-	35,25,536/-	Enhanced by 15,44,400/-

11. As a result of the aforesaid discussion,

(i) The present appeal is partly allowed. No costs.

(ii)The compensation awarded by the Tribunal is enhanced to Rs.

35,25,536/-

(iii) The appellant / claimant is directed to pay additional court fee for the enhanced compensation amount, if any, and the Registry is directed to draft the decree only after receipt of additional court fee.



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(iv) The respondent is directed to deposit the enhanced compensation amount of Rs.35,25,536/- (less the amount already deposited) together with interest at the rate of 7.5% per annum from the date of claim petition till the date of deposit to the credit of M.C.O.P.No.1385 of 2022, dated 12.12.2024 on the file of the on the file of the Motor Accidents Claims Tribunal, /Special District Court-I, Cuddalore, within a period of four weeks from the date of receipt of a copy of this order/uploading of this order.

(v) The appellant/claimant is not entitled for any interest for the default period in filing the above appeal.

(vi) On such deposit being made, the appellant/claimant is at liberty to withdraw the same, after following due process of law.

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vsn

Index: Yes/No

Speaking Order / Non-Speaking Order

Neutral Citation: Yes / No

To:

1. Special District Court-I,
Motor Accidents Claims Tribunal, Cuddalore.

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



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