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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

AND

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

REV.APLC(MD).No.32 of 2026
and CMP(MD).No.3697 of 2026
in C.M.A.(MD).No.107 of 2021

The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam.

.. Petitioner

Vs.

G.Sivagami

.. Respondent

Prayer :Application filed under Order 47 Rule 1 R/w. Section 114 of CPC to review the order dated 28.10.2024 passed in C.M.A.(MD).No.107 of 2021 on the file of this Court by allowing this review application.

For Petitioner : Mr.P.M.Vishnuvarthanan



ORDER

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This Review Application has been filed seeking review of the order dated 28.10.2024 passed by this Court in C.M.A.(MD).No.107 of 2021, on the ground that the amount awarded under the head of attendant charges is exorbitant.

2. The learned counsel appearing for the petitioner submitted that this Court, while passing the judgment in the Civil Miscellaneous Appeal, had granted an exorbitant and disproportionately high amount towards attendant charges, which is wholly unjustified and contrary to the settled principles governing motor accident compensation. He further submitted that there is an error apparent on the face of the record in awarding excessive attendant charges and, therefore, the present Review Application has been filed seeking reconsideration and appropriate modification of the judgment.

3. The learned counsel placed reliance on the judgments of the Hon'ble Apex Court reported in **2025 Supreme (SC) 1252 [Kavin vs. P. Sreemani Devi and Others]** and **2025 Supreme (SC) 1124 [S. Mohammed**



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Hakkim vs. National Insurance Company Limited and Others], as well as the judgment of this Court in ***Divisional Manager vs. Rajaguru and Another in C.M.A.No.3534 of 2021 dated 08.08.2022.***

4. This Court has considered the submissions made by the learned counsel for the petitioner and perused the judgments relied upon.

5. It is a well-settled principle that the determination of compensation depends on the facts and circumstances of each case. This Court, in the impugned judgment, had undertaken a detailed discussion in paragraph No. 16 and had also relied upon the judgment of the Hon'ble Supreme Court in ***Kajal vs. Jagadish Chand and Others***, reported in ***(2020) 4 SCC 413***. In the said judgment and other similar cases, the Hon'ble Supreme Court has applied the principle of adopting the multiplier method for awarding attendant charges.

6. In the present case, the claimant is a teacher, who lost her right hand due to amputation. Prior to the accident, she was independently attending her work by riding a two-wheeler. After the accident, owing to the disability, she engaged assistance to carry out her day-to-day and household



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activities. Taking into consideration all these aspects, this Court awarded a sum of Rs.8,000/- per month towards attendant charges and applied the multiplier for 32 years by following the principles laid down in the ***Kajal case***, which was decided by a Bench of two Hon'ble Judges. This Court does not find any error apparent on the face of the record warranting interference.

7. The fixation of compensation always depends upon the peculiar facts of each case. The peculiar facts of the present case were duly taken into consideration while fixing the attendant charges at Rs.8,000/- per month. Hence, there is no error apparent on the face of the judgment insofar as the fixation of the said amount is concerned. Therefore, this Court finds no ground to review the earlier order.

8. Accordingly, this Review Application stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

(N.A.V.,J..) (K.K.R.K.,J.,)
24.03.2026

Index : Yes / No
Internet : Yes / No
TSG



To
The MACT (Chief Judicial Magistrate Court),
Virudhunagar @ Srivilliputhur.



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**N. ANAND VENKATESH,J.
AND
K.K.RAMAKRISHNAN,J.**

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