



C.M.A(MD) No.617 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 02.06.2026

CORAM:

**THE HONOURABLE MR JUSTICE N.ANAND VENKATESH
AND
THE HONOURABLE MR JUSTICE K.K.RAMAKRISHNAN**

**C.M.A(MD) No.617 of 2026
and
C.M.P(MD) No.6265 of 2026**

The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Bye-Pass Road, Madurai – 16.

... Appellant

-VS-

- 1.Mahalachumi
- 2.Saranya
- 3.Minor Anandhi
- 4.Minor Keerthana
- 5.Minor Akshya
(Minor respondents 3 to 5 are represented
through their natural guardian and mother, the 1st respondent)
- 6.Nagammal
- 7.Jothymani



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8. The Divisional Manager,
National Insurance Company Limited,
No.3, Vadakku Veli Veethi (TP-Hub),
Near Sethupathy School, Madurai – 1.

...Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of Motor Vehicles Act, 1988, to set aside the order made in M.C.O.P.No.153 of 2024, dated 03.09.2025 on the file of the Motor Accident Claims Tribunal, Special District Court, Madurai, and allow this civil miscellaneous appeal.

For Appellant : Mr.S.Micheal Heldon Kumar

For R1 to R7 : Mr.T.Jeyachandran

ORDER

(Order of the Court was made by **N.ANAND VENKATESH,J.**)

This Civil Miscellaneous Appeal has been filed by the Transport Corporation against the award passed by the Motor Accident Claims Tribunal, Special District Court, Madurai, in M.C.O.P.No.153 of 2024, dated 03.09.2025.



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2. The first respondent is the wife, the respondents 2 to 5 are the children of the deceased and the respondents 6 and 7 are the mother and father of the deceased. The deceased, Muniyandi, was riding a two-wheeler on 16.10.2023 at about 8.30 a.m., at BB Kulam Main Road and at that point of time, the bus that was driven by the driver of the appellant Transport Corporation is said to have been driven in a rash and negligent manner and had hit the rear side of the two-wheeler, as a result of which, the deceased was thrown out of the vehicle and he sustained grievous injuries and succumbed to the injuries. It is under these circumstances, the claim petition came to be filed before the Tribunal.

3. The Tribunal, on considering the facts and circumstances of the case and on appreciation of the oral and documentary evidence, came to the conclusion that the accident had taken place only due to the rash and negligent driving on the part of the driver of the bus belonging to the Transport Corporation. Having rendered such a finding, the Tribunal fixed the total compensation amount at Rs.26,50,000/- under various heads as follows:



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Particulars	Rupees
Loss of income	23,40,000/-
Loss of Consortium (7*Rs.40,000/-)	2,80,000/-
Funeral expenses	15,000/-
Loss of Estate	15,000/-
Total	26,50,000/-

4. The said compensation amount was directed to be paid along with interest at the rate of 7.5% per annum in the proportion fixed by the Tribunal. Aggrieved by the same, the present appeal has been filed by the appellant / Transport Corporation.

5. Heard the learned counsel for the appellant and the learned counsel appearing on behalf of the respondents 1 to 7.

6. The main ground that was urged by the learned counsel for the appellant / Transport Corporation is that the deceased was not wearing a helmet and the deceased succumbed to the injuries due to head injury. There is certainly an element of contributory negligence on the part of the deceased.



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7. We carefully went through the award passed by the Tribunal.

The Tribunal has individually assessed/appreciated the evidence of PW1 to PW3 and also RW1, who is the driver of the Transport Corporation. The Tribunal had also taken into consideration the FIR that was registered against the driver of the Transport Corporation (Ex.P1) and the final report that was filed against the driver of the Transport Corporation after completion of the investigation (Ex.P2). On appreciation, the Tribunal came to a categorical conclusion that the bus belonging to the Transport Corporation was driven in a rash and negligent manner and it had hit the two-wheeler while attempting to overtake the same. Having rendered such a finding, the Tribunal also proceeded to fix the compensation.

8. The finding rendered by the Tribunal does not suffer from any perversity and it is based on appreciation of evidence. Hence, we do not find any ground to interfere with the same. The compensation that has been fixed by the Tribunal is also reasonable and it does not warrant the interference of this Court.



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9. In the result, the appeal stands dismissed. There shall be a direction to the appellant / Transport Corporation to deposit the entire compensation amount along with interest within a period of eight (8) weeks from the date of receipt of a copy of this order. On such deposit, the claimants are entitled to withdraw the same in the proportion fixed by the Tribunal. Consequently, the connected Miscellaneous Petition is closed. No costs.

[N.A.V., J.]

[K.K.R.K., J.]

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Indu

NCC :Yes/No

Index : Yes/No

Internet: Yes/No



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