

C.M.A(MD) No.635 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.635 of 2026

and

C.M.P(MD) No.6610 of 2026

The Managing Director,
Tamilnadu State Transport Corporation,
(Division – IV), having its office
at Bye-Pass road, Dindigul Town,
Dindigul District.

... Appellant

-VS-

1.Karthipandi

2.Minor.K.Sivamika

3.Minor.K.Kailamika

(Minor Respondents 2 & 3 are represented
by their father and natural guardian, the first
respondent herein)

... 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. 289 of 2024, dated 14.07.2025 on the file of the Motor Accident Claims Tribunal, Special Sub Court, Dindigul allow the Civil Miscellaneous Appeal with costs.

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For Appellant : Mr.S.Micheal Heldon Kumar

ORDER

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

The Transport Corporation has filed the present appeal aggrieved by the award passed by the Motor Accident Claims Tribunal, Special Sub Court, Dindigul in M.C.O.P.No.289 of 2024, dated 14.07.2025.

2. The first respondent is the husband and respondents 2 and 3 are the children of the deceased Meera. The case of the claimants is that on 29.01.2024 at about 4.45 p.m., the deceased Meera was walking near Dindigul bus stand entrance and at that point of time, the bus belonging to the Transport Corporation was driven in a rash and negligent manner and it hit the deceased, as a result of which the deceased died on the spot. An FIR came to be registered in Crime No.106 of 2024 against the driver of the bus. It is under these circumstances, the claim petition came to be filed before the Tribunal.



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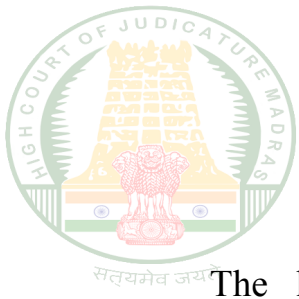
3. The Tribunal, on considering the facts and circumstances of the case and on appreciation of the oral and documentary evidence, came to the conclusion that the accident had taken place due to the rash and negligent driving on the part of the driver of the bus belonging to the Transport Corporation.

4. Having rendered such a finding, the Tribunal had fixed the total compensation amount at Rs.33,87,000/- under various heads as follows:

Particulars	Rupees
Loss of dependency	31,92,000/-
Loss of Estate	18,000/-
Loss of consortium (Rs.48,000*3)	1,44,000/-
Funeral expenses	18,000/-
Transport expenses	15,000/-
Total	33,87,000/-

5. The compensation amount was directed to be paid with interest at the rate of 7.5% per annum. Aggrieved by the same, the Transport Corporation has filed the present appeal before this Court.

6. The learned counsel appearing on behalf of the Transport Corporation mainly focused his arguments on the aspect of negligence.



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The learned counsel submitted that the Tribunal went wrong in attributing the entire negligence on the part of the driver of the Transport Corporation, whereas there is some element of contributory negligence on the part of the deceased, since the deceased had suddenly emerged from behind a parked auto and was attempting to cross the road at a non-designated place. Therefore, the learned counsel submitted that contributory negligence ought to have been attributed to the deceased and the compensation ought to have been fixed by the Tribunal accordingly.

7. We have carefully gone through the award passed by the Tribunal and in the case in hand, PW2 was an eyewitness and the eyewitness has clearly deposed that the deceased was walking along with PW2 on the side of the road and the bus came in a rash and negligent manner and hit the deceased. No contra evidence was available to dislodge this evidence tendered by PW2. Apart from that, the Tribunal also took into consideration the FIR that was registered against the driver of the bus (Ex.P1). In our considered view, the finding rendered by the Tribunal on the aspect of negligence does not suffer from any perversity



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warranting the interference of this Court. Apart from that, the compensation fixed by the Tribunal is also just and reasonable. Accordingly, we are not inclined to entertain this appeal.

8. In the result, this Civil Miscellaneous 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 manner indicated 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

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