



C.M.A(MD) No.619 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.619 of 2026
and
C.M.P(MD) No.6263 of 2026**

The General Manager,
Tamil Nadu State Transport Corporation Limited,
(Madurai Limited), Dindigul Region.

... Appellant

-VS-

1.Manimegalai

2.Minor Ambika

3.Minor Leeja

(Minor respondents 2 and 3 are represented
by their mother and natural guardian, the 1st respondent)

...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.18 of 2018, dated 22.09.2023 on the file of the Motor Accident Claims Tribunal, Sub Court, Uthamapalayam and allow this civil miscellaneous appeal.



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C.M.A(MD) No.619 of 2026

For Appellant : Mr.S.Micheal Heldon Kumar

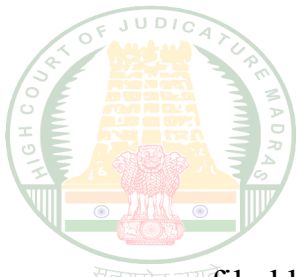
For Respondents : Mr.S.Manoj Kumar

ORDER

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

This appeal has been filed by the State Transport Corporation challenging the award passed by the Motor Accident Claims Tribunal, Sub Court, Uthamapalayam, in M.C.O.P.No.18 of 2018, dated 22.09.2023.

2. The first respondent is the wife and the second and third respondents are the daughters of the deceased Palanimuthu. The case of the claimants is that on 21.01.2017 at about 7.00 p.m., the deceased was travelling on a two-wheeler as a pillion rider and when the two-wheeler was proceeding near Sivanadi Petrol Bunk, from North to South, the bus belonging to the Transport Corporation was driven in a rash and negligent manner and it hit the rear side of the two-wheeler, as a result of which, the rider and the pillion rider were thrown from the two-wheeler and the deceased, who was travelling as a pillion rider, succumbed to the injuries. It is under these circumstances, the claim petition came to be



C.M.A(MD) No.619 of 2026

filed before the Tribunal.

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3. The Tribunal, on considering the facts and circumstances of the case and on appreciation of 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.

4. Having rendered such a finding, the Tribunal fixed the total compensation amount at Rs.24,15,000/- under the following heads:

Particulars	Rupees
Loss of income	22,50,000/-
Loss of Consortium for the 1 st respondent	44,000/-
Loss of Consortium for the respondents 2 and 3 (2*Rs.44,000/-)	88,000/-
Loss of Estate	16,500/-
Funeral Expenses	16,500/-
Total	24,15,000/-

5. The said compensation amount was directed to be paid with



C.M.A(MD) No.619 of 2026

interest at the rate of 7.5% per annum.

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6. Heard the learned counsel for the appellant / Transport Corporation and the learned counsel for the respondents 1 to 3.

7. The main ground that was urged by the learned counsel for the appellant / Transport Corporation is that the quantum of compensation fixed by the Tribunal is on the higher side. The learned counsel submitted that the accident had taken place in the year 2017 and there was no proof of income and the Tribunal had fixed the total monthly income at Rs.15,000/-, whereas during the relevant point of time, the monthly income that was fixed was only Rs.13,500/-. The other ground that was urged is that the Tribunal, instead of granting loss of consortium at Rs.40,000/- for each claimant, had erroneously fixed the same at Rs.44,000/- for each claimant. Hence, it was contended that the compensation fixed by the Tribunal requires the interference of this Court.

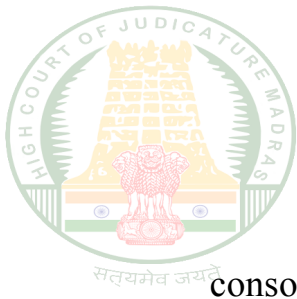
8. We have carefully gone through the findings of the Tribunal



C.M.A(MD) No.619 of 2026

WEB COPY

with respect to the fixation of the compensation amount. The Tribunal had taken into consideration the fact that the deceased was aged about 40 years and is said to have been working in a rice mill. In the absence of any proof of income, the Tribunal, considering the fact that the claimants were the wife and two young daughters, proceeded to fix the monthly income at Rs.15,000/-. While fixing this income, the Tribunal has also taken into consideration the judgment of this Court in ***HDFC ERGO General Insurance Company Limited Vs. B.Bommi reported in 2021 (2) TNMAC 71***. Therefore, it is quite clear that the Tribunal had applied its mind while fixing this monthly income and this Court does not find the same to be on the higher side. The Tribunal had also deducted 1/3rd amount and determined the monthly income at Rs.12,500/- and applied a multiplier of 15. The Tribunal has granted a total compensation towards loss of income of Rs.22,50,000/- and the same is certainly just and reasonable. Insofar as the consortium amount is concerned, the Tribunal has once again taken into consideration the judgment of the Apex Court in ***National Insurance Company Limited Vs. Pranay Sethi and others reported in 2017 (2) TNMAC 609 (SC)***. Therefore, we do not find the



C.M.A(MD) No.619 of 2026

WEB COPY

consortium amount fixed by the Tribunal at the rate of Rs.44,000/- for each claimant to be excessive.

9. In the light of the above discussion, the compensation amount that has been fixed by the Tribunal is found to be just and reasonable and it does not require the interference of this Court.

10. In the result, this Civil Miscellaneous Appeal stands dismissed and there shall be a direction to the appellant / Transport Corporation to deposit the entire compensation amount along with the accrued 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.]

02.06.2026

Indu

NCC :Yes/No

Page 6 of 8



C.M.A(MD) No.619 of 2026

Index : Yes/No
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N.ANAND VENKATESH,J.
AND
K.K.RAMAKRISHNAN,J.

Indu

C.M.A(MD) No.619 of 2026



WEB COPY



C.M.A(MD) No.619 of 2026

02.06.2026