



C.M.A(MD) No.616 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.616 of 2026
and
C.M.P(MD) No.6263 of 2026**

The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Karaikudi, Sivagangai District.

... Appellant

-VS-

1.Nagalakshmi

2.Nandhakumar

...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.71 of 2023, dated 26.09.2025 on the file of the Motor Accident Claims Tribunal, Additional District Court, Ramanathapuram and allow this civil miscellaneous appeal.

For Appellant : Mr.S.Micheal Heldon Kumar



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ORDER

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This appeal has been filed by the State Transport Corporation aggrieved by the award passed by the Motor Accident Claims Tribunal, Additional District Court, Ramanathapuram, in M.C.O.P.No.71 of 2023, dated 26.09.2025.

2. The first respondent is the mother and the second respondent is the brother of the deceased Nesathkumar. It is the case of the claimants that on 24.01.2023 at about 2.05 p.m., the deceased was riding a two-wheeler towards Ervadi and when the two-wheeler was proceeding near the petrol pump at Ramanathapuram, from North to South, the bus belonging to the appellant / Transport Corporation was driven in a rash and negligent manner and was coming in the same direction and it hit the rear side of the two-wheeler, as a result of which, the deceased was thrown out of the two-wheeler and sustained grievous injuries and succumbed to the injuries.

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



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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.

4. Having rendered the said finding, the Tribunal fixed the total compensation at Rs.26,77,052/- under the following heads:

Particulars	Rupees
Loss of income	26,00,052/-
Loss of Consortium	44,000/-
Funeral expenses	16,500/-
Loss of Estate	16,500/-
Total	26,77,052/-

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

6. The main ground that was urged by the learned counsel for the appellant / Transport Corporation is that the accident had taken place only due to the rash and negligent driving on the part of the deceased and

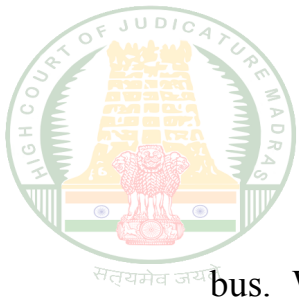


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that the deceased was attempting to cross the road without any indication and as a result, the bus that was driven by the driver of the Transport Corporation had hit the two-wheeler. Thus, it was submitted that there was certainly negligence on the part of the deceased and the Tribunal did not take into consideration this crucial aspect and the entire negligence was fixed on the driver of the bus.

7. We have carefully gone through the finding of the Tribunal with respect to the issue of negligence. The Tribunal had taken into consideration the evidence of PW1 and PW2 apart from the FIR that was registered against the driver of the bus (Ex.P1) and the final report that was filed by the Police after the completion of the investigation (Ex.P6). The Tribunal, on appreciation of the evidence, came to a conclusion that the accident had taken place only due to the rash and negligent driving on the part of the driver of the bus and the same is evident from the Police report filed by the Investigating Officer on completion of the investigation. No contra evidence was let in by the Transport Corporation and hence, the Tribunal fixed the entire negligence on the driver of the



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bus. We do not find any perversity in the finding rendered by the Tribunal warranting interference.

8. Insofar as the compensation amount is concerned, we find the same to be just and reasonable and it does not require the interference of this Court. In the light of the above findings, we do not find any ground to entertain this appeal and accordingly, the same is hereby dismissed. 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.]

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NCC :Yes/No

Index : Yes/No

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