



C.M.A(MD) No.647 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05.06.2026

CORAM:

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

C.M.A(MD) No.647 of 2026

and

C.M.P(MD) No.6706 of 2026

The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Railway Station New Road,
Kumbakonam, Thanjavur District.

... Appellant

-VS-

1.Sasikala

2.Santhoskumar

...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.1 of 2025, dated 11.07.2025 on the file of the Motor Accident Claims Tribunal, Special District Court, Thanjavur and allow this civil miscellaneous appeal with costs.

For Appellant : Mr.S.Micheal Heldon Kumar

For Respondents : Mr.K.M.Karunakaran



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ORDER

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

This appeal has been filed by the State Transport Corporation aggrieved by the award passed by the Motor Accident Claims Tribunal, Special District Court, Thanjavur, in M.C.O.P.No.1 of 2025, dated 11.07.2025.

2. The first respondent is the mother and the second respondent is the brother of the deceased Ajithkumar @ Ragavendiran. The case of the claimants is that on 21.11.2024 at about 9.45 p.m., the deceased Ajithkumar @ Ragavendiran was riding a two-wheeler on the Thanjavur to Nagapattinam Road and at that time, the driver of the bus belonging to the Transport Corporation, which was coming in the opposite direction, is said to have been driving in a rash and negligent manner and it hit the two-wheeler, as a result of which, the deceased was thrown out of the two-wheeler and he died on the spot. An FIR came to be registered against the driver of the bus in Crime No.598 of 2024. It is under these circumstances that 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 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 belonging to the Transport Corporation. Having rendered such a finding, the Tribunal fixed the total compensation at Rs.25,63,200/- under the following heads:

Particulars	Rupees
Loss of income	24,27,600/-
Loss of Consortium (Rs.48,000*2)	96,000/-
Funeral expenses	18,000/-
Loss of Estate	21,600/-
Total	25,63,200/-

4. The said compensation was directed to be paid with interest at the rate of 7.5% per annum in the proportion fixed by the Tribunal. Aggrieved by the award passed by the Tribunal, the present appeal has been filed before this Court.

5. Heard the learned counsel for the appellant and the learned counsel for the respondents.

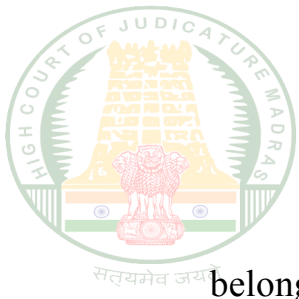


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6. The learned counsel for the appellant mainly focussed his submissions on the issue of negligence and the learned counsel submitted that while the bus belonging to the Transport Corporation was driven at a normal speed, the rider of the two-wheeler, who was coming from the opposite direction, had attempted to overtake a van that was going in front of the two-wheeler and as a result of which, he had hit the bus and died in the accident. The learned counsel submitted that this crucial aspect has not been properly appreciated by the Tribunal while fixing the negligence on the driver of the bus.

7. We carefully went through the evidence of the eyewitness, namely PW2 and also the finding rendered by the Tribunal. It is seen that there were only two vehicles that were available on the road, namely the bus belonging to the Transport Corporation and the two-wheeler that was driven by the deceased. Apart from that, there is no material to show that there was a van that was going in front of the two-wheeler, as is attempted to be projected in this appeal. In view of the same, the finding of the Tribunal to the effect that the entire accident had taken place only due to the rash and negligent driving on the part of the driver of the bus



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belonging to the Transport Corporation, does not warrant the interference of this Court. Insofar as the compensation amount is concerned, the same is found to be just and reasonable and it does not warrant the interference of this Court.

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 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.]

05.06.2026

Indu

NCC :Yes/No

Index : Yes/No

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