



C.M.A(MD)No.747 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.06.2026

CORAM:

**THE HON'BLE MR JUSTICE N.ANAND VENKATESH
AND
THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

C.M.A(MD)No.747 of 2026

The Branch Manager
Reliance General Insurance Company Limited,
M.C.Salai, Selvam Nagar,
No.8, Srinarayana Towers,
Tanjore.

... Appellant(s)

Vs.

1.Sowpackiyam

2.Appavu

3.Kalaiselvi

4.Karthic

5.Kannaki

6.Minor Kanimozhi
(Minor petitioner represented through her mother and guardian Kannaki)

7.Mohammed Arif

... Respondents



C.M.A(MD)No.747 of 2026

PRAYER:- Civil Miscellaneous Appeal filed under section 173 of Motor Vehicles Act to set aside the Award dated 06.04.2017 made in MCOP.No. 135 of 2014 passed by the Motor Accident Claims Tribunal / Chief Judicial Magistrate, Tanjore at Kumbakonam.

For Appellant : Mr.V.Sakthivel

J U D G M E N T

**(Judgment of the Court was delivered by
N.ANAND VENKATESH, J.)**

This appeal has been filed by the Insurance Company challenging the award passed by the Motor Accident Claims / Chief Judicial Magistrate, Tanjore at Kumbakonam in M.C.O.P.No.135 of 2014 dated 06.04.2017.

2. The first respondent is the mother, the second respondent is the father, the third to fifth respondents are the sisters of the deceased and the sixth respondent is the daughter of the fifth respondent.

3. The case of the claimants is that on 12.11.2011, the deceased Sanjeevi was riding a two-wheeler from Mannargudi to Pattukkottai and at about 08.15 p.m., the offending vehicle was coming from the opposite direction and it was driven in a rash and negligent manner and hit the two-wheeler, as a result, the deceased sustained serious injuries and he



C.M.A(MD)No.747 of 2026

WEB COPY

died on the way to the hospital. It is under these circumstances, the claim petition came to be filed before this Court.

4. The Tribunal, on considering the facts and circumstances of the case and on appreciation of oral and documentary 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 offending vehicle.

5. Having rendered the above finding, the Tribunal fixed the total compensation at Rs.23,25,000/- under the following heads:

S.NO.	Under the Head	Amount
1.	Monthly Income	Rs.20,000/-
2.	50% deduction towards Personal Expenses of the deceased	Rs.20,000/- (-) Rs. 10,000/- = Rs. 10,000/-
3.	Loss of Income	Rs.10,000/-*12*17= Rs.20,40,000/-
4.	Funeral Expenses	Rs.25,000/-
5.	Loss of Estate	Rs.10,000/-
6.	Loss of Love and Affection	Rs.2,40,000/-
7.	Transport Expenses	Rs.10,000/-
	Total	Rs.23,25,000/-

The above compensation is directed to be paid along with interest at the rate of 7.5% per annum.



C.M.A(MD)No.747 of 2026

WEB COPY

7. Aggrieved by the same, the Insurance Company has filed the present appeal.

8. This Court carefully considered the submissions made by the learned counsel appearing for the appellant and also the award passed by the Tribunal.

9. The main ground that was urged by the learned counsel appearing for the appellant is that there was no existing policy at the time of the accident and without noticing this crucial factor, the Tribunal has proceeded to pass the award.

10. The above ground raised by the learned counsel appearing for the appellant has not been substantiated or raised or proved before the Tribunal. Hence, there was no occasion for the Tribunal to deal with the issue and we cannot take up the issue and decide the same afresh in this appeal.



C.M.A(MD)No.747 of 2026

WEB COPY

11. Insofar as the compensation is concerned, we find that the compensation fixed by the Tribunal is just and proper and it does not require the interference of this Court.

12. In the result, this Civil Miscellaneous Appeal stands dismissed. The appellant insurance company is directed to deposit the entire compensation amount along with accrued interest to the credit of MCOP.No.135 of 2014 on the file of the Motor Accident Claims Tribunal / Chief Judicial Magistrate, Tanjore at Kumbakonam. within a period of six weeks from the date of receipt of a copy of this judgment. The claimants will be entitled to withdraw the compensation amount in the proportion as fixed by the Tribunal. No costs.

[N.A.V., J.] [K.K.R.K, J.]
22.06.2026

NCC :Yes/No
Index :Yes/No
TSG



C.M.A(MD)No.747 of 2026

WEB COPY

- To
- 1.The Motor Accident Claims Tribunal / Chief Judicial Magistrate,
Tanjore at Kumbakonam.
 - 2.The Record Keeper (Vernacular Records),
Madurai Bench of Madras High Court, Madurai.



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C.M.A(MD)No.747 of 2026

N. ANAND VENKATESH,J.
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TSG

C.M.A(MD)No.747 of 2026

22.06.2026