



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Miscellaneous Appeal No.2037 of 2026

and

C.M.P.No.15737 of 2026

1. The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Kumbakonam – 621 001.
2. The Branch Manager,
Tamil Nadu State Transport Corporation Ltd.,
Jayakondam Branch,
Ariyalur District – 621 802.

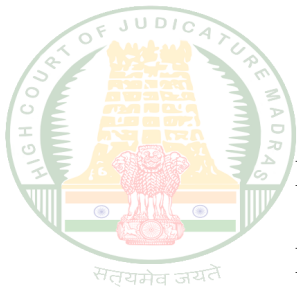
..Appellants

Vs

1. M.Sumathi
2. M.Mageswari
3. M.Mahadevan (Minor)
4. M.Madhumadi (Minor)
5. M.Mahadevi (Minor)
(Minor Respondents 3 to 5 represented by their
mother and natural guardian M.Sumathi)
6. Maruthai
7. M.Chinnammal

..Respondents

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the Award dated 12.06.2024 made in MCOP No. 2182 of 2021 on the file of the Motor Accident Claims Tribunal/II Special Judge, Small Causes Court, Chennai.



For Appellants : Mr.M Murali Vinodh

For Respondents : Mr.V.Dakshinamoorthy

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JUDGMENT

This appeal has been filed against the award dated 12.06.2024 made in MCOP No. 2182 of 2021 on the file of the Motor Accident Claims Tribunal/II Special Judge, Small Causes Court, Chennai.

2. The first respondent is the wife, respondents 2 to 5 are the children and respondents 6 and 7 are the parents of the deceased Marimuthu. The claim petition was filed on the ground that the deceased Marimuthu was going in a cycle on 17.09.2010 at Ariyalur road and at about 6 p.m., when he was near Asthinampuram colony street, the offending vehicle, a bus belonging to the appellant transport corporation, was driven in a rash and negligent manner and hit the cycle as a result of which the deceased died on the spot. It is under these circumstances, the claim petition came to be filed before the Tribunal.

3. 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 rider of the offending vehicle. Having rendered the above



finding, the Tribunal proceeded to determine the compensation in the following manner:

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<i>Sl. No.</i>	<i>Compensation awarded under the head</i>	<i>Amount (in Rs.)</i>
1.	Loss of dependency	27,95,520/-
2.	Loss of consortium	2,80,000/-
3.	Loss of estate	15,000/-
4.	Funeral expenses	15,000/-
	Total	31,05,520/-

The above compensation was directed to be paid along with interest at the rate of 7.5% p.a. from the date of petition. Aggrieved by the same, the transport corporation has filed the present appeal questioning the quantum of compensation fixed by the Tribunal.

4. Heard the learned counsel for the appellants transport corporation and learned counsel for the respondents.

5. The main ground taken by the appellants is that the accident has occurred in the year 2010, but, the Tribunal has taken the notional monthly income at Rs.13,000/-, which is on the higher side. In the considered view of this Court, even though the accident had taken place in the year 2010, there are nearly seven dependents for the deceased and the Tribunal also took into consideration the fact that the deceased was working as Parotta master in a hotel. Therefore, the notional monthly income of Rs.13,000/- fixed by the



N.ANAND VENKATESH, J.

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Tribunal is not on the higher side. The compensation fixed under the other heads are also reasonable and it does not require the interference of this Court.

In the result, this Civil Miscellaneous Appeal is dismissed. The appellants transport corporation are directed to deposit the compensation along with accrued interest, less the amount already deposited, within a period of six (6) weeks from the date of receipt of a copy of this judgment and on such deposit, the claimants are entitled to withdraw the same on due application. The directions issued by the Tribunal with regard to the mode of payment of compensation remains unaltered. No costs. Consequently, connected miscellaneous petition is closed.

07-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
gm

To
The Motor Accident Claims Tribunal,
II Special Judge,
Small Causes Court, Chennai.

Civil Miscellaneous Appeal No.2037 of 2026