



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-07-2026

CORAM

THE HON'BLE MR JUSTICE N. ANAND VENKATESH

Civil Miscellaneous Appeal No.2101 of 2026

and

C.M.P.No.16175 of 2026

The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
Regional Office, Dharmapuri.

..Appellant

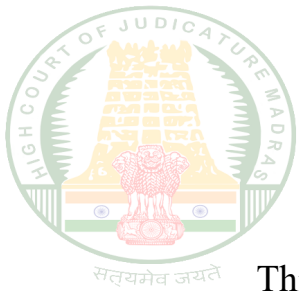
Vs

1. Muthuraj
S/o.Krishnappa
2. Vijendra
S/o.Muthuraj
3. Minor Gopi
S/o.Muthuraj
(minor represented by next friend
Father Muthuraj)
4. Krishnappa
S/o.Joki Naidu
5. Lakshamma
W/o.Krishnappa

..Respondents

Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act against the judgment and decree passed in MCOP No.152 of 2019 passed by Motor Accidents Claims Tribunal, Additional District Court, Hosur, dated 27.09.2022.

For Appellant : Mr.Nitin D



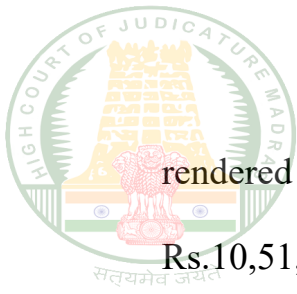
JUDGMENT

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This appeal has been filed by the Transport Corporation against the award passed by the Motor Accident Claims Tribunal, Additional District Court, Hosur, in M.C.O.P.No.152 of 2019 dated 27.09.2022.

2. The first claimant is the husband, the claimants 2 and 3 are children and claimants 4 and 5 are father-in-law and mother-in-law of the deceased Munilakshmi. The case of the claimants is that on 20.11.2013, the deceased was riding pillion in a two wheeler ridden by one Muniraj and at about 6 A.M., when the two wheeler was proceeding near Enusonai to Bommathanur road, the bus belonging to the appellant transport corporation was driven in a rash and negligent manner and dashed on the rear side of the two wheeler, as a result of which the deceased fell down from the two wheeler and was run over and met her instantaneous death. A First Information Report came to be registered in Crime No.236 of 2013. 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 due to the rash and negligent driving on the part of the bus belonging to the appellant transport corporation. Having



rendered the above finding, the Tribunal proceeded to fix the compensation at Rs.10,51,000/- under various heads as follows:

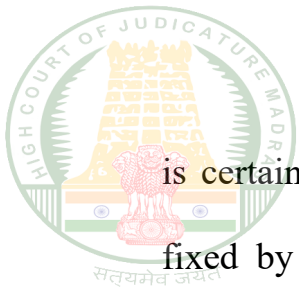
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<i>Sl. No.</i>	<i>Compensation awarded under the head</i>	<i>Amount (in Rs.)</i>
1.	Loss of dependency	8,96,000/-
2.	Spousal consortium	40,000/-
3.	Filial consortium	80,000/-
4.	Funeral expenses	15,000/-
5.	Loss of estate	15,000/-
6.	Transportation	5,000/-
7.	Medical expenses	-
	Total	10,51,000/-

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

4. Heard learned counsel for appellant and carefully perused the materials available on record. This Court also went through the award passed by the Tribunal.

5. The main ground urged on the side of appellant is that there were two pillion riders in the two wheeler and the deceased lost her balance and fell down, as a result of which the bus ran over her. Learned counsel for appellant submitted that the entire negligence was fixed on the bus driver, whereas, there



is certainly an element of contributory negligence, which ought to have been fixed by the Tribunal. The learned counsel also questioned the quantum of compensation fixed under various heads.

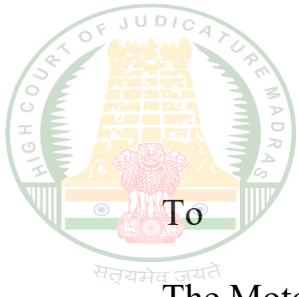
6. The Tribunal, while dealing with the issue of negligence, dealt with the evidence of PW-2, who was the rider of the two wheeler. There was no contra evidence let in by the transport corporation. Therefore, the Tribunal acted upon the version of PW-2, which did not stand discredited.

7. Insofar as the quantum of compensation is concerned, the quantum fixed is just and proper, which does not require the interference of this Court.

In the result, this Civil Miscellaneous Appeal is dismissed. It is represented that the appellant transport corporation has deposited the entire compensation with interest. The claimants are entitled to withdraw their respective share 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.

06-07-2026

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



CMA No.2101 of 2



To

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The Motor Accidents Claims Tribunal,
Additional District Court,
Hosur.



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N.ANAND VENKATESH, J.

gm

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