

BEFORE THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, CHENNAI

(In the VI Court of Small Causes, Chennai)

PRESENT: THIRU. K.S.RAJESH KUMAR, M.L.,

VI JUDGE

Wednesday, this the 8th Day of July 2026

MCOP No.5253/2024

CNR No. TNCH09-009023-2024

1.	Name and Address of the Claimant(s)	:	Ramya Ravichandran, D/o.Ravichandran, Aged about 37 years, Residing at Plot No.63, Padmavathi Nagar, Iyyappanthangal, Chennai 600 056.
2.	Name and address of Respondent(s)	:	1. Suresh Kumar, No.8/9, Anna Street, Padhuvanchery, Madambakkam, Chennai 600 126. 2. The Manager The New India Assurance Co.Ltd., Motor Third Party Claims Hub, Bombay Mutual Building, 6 th Floor, No.232, NSC Bose Road, Chennai 600 001. Policy No.98000031230314539892 Valid from 15.02.2024 to 14.02.2025
3.	Date of filing of the claim petition	:	20.08.2024

4.	Date of Award	:	08.07.2026
5.	Amount of Award	:	Rs.5,02,000/-
6.	Costs allowed	:	Rs.20,469/-
7.	Court Fee for award amount	:	Rs.4,392.50
8.	Court Fee Paid	:	Rs. 375/-
9.	Balance of Court fee to be paid	:	Rs.4,017.50

Date of Final Hearing	16.06.2026
Counsel for the Petitioner(s)	M/s.T.Arumugam
Counsel for Respondents(s)	Respondents – Exparte

AWARD

This petition has been filed under Section 166 of Motor Vehicles Act,1988 claiming a compensation of Rs.15,00,000/- with interest and costs.

2. The averments in the petition, in brief, are as follows:

The petitioner submits that on 01.07.2024 at about 10.40 hrs, while the petitioner was riding a motor cycle bearing Reg No.TN 12 BE 0398 at 100 feet road, near Nanjil snacks towards Velacherry, Thillai Ganga Nagar, Chennai, proceeding from north to south direction, at that time the car bearing Reg No.TN 11 BJ 6268 was parked on the said road without any signal and suddenly the

driver of the said car opened the front right side door in a rash and negligent manner, due to which the petitioner motor cycle hit against the door and petitioner sustained grievous injuries. Since the accident happened due to the first respondent car driver the respondents being the owner and insurer of the car are liable to pay compensation to the petitioner.

3. Respondents were set exparte.

4. **The Points for determination are:**

1)	Whether the accident occurred due to the rash and negligent act of 1 st respondent car driver?
2)	Whether the petitioner is entitled to get compensation if so, what should be the quantum of compensation, and by whom it is payable?

5. **Evidence:**

In evidence the petitioner examined as PW1 and marked eleven documents as Ex.P1 to Ex.P11 after hearing the petitioner side arguments posted for orders.

6. **ANSWER FOR POINT No.1:**

6.1. The petitioner submits that on 01.07.2024 at about 10.40 hrs, while the petitioner was riding a motor cycle bearing Reg No.TN 12 BE 0398 at 100 feet road, near Nanjil snacks towards Velacherry, Thillai Ganga Nagar, Chennai, proceeding from north to south direction, at that time the car bearing Reg No.TN

11 BJ 6268 was parked on the said road without any signal and suddenly the driver of the said car opened the front right side door in a rash and negligent manner, due to which the petitioner motor cycle hit against the door and petitioner sustained grievous injuries.

6.2. In this regard a police complaint was lodged by one Manikanda Viswanathan to St.Thomas Mount Police Station. On which Ex. P1, FIR was registered in FIR No.129/2024 u/s. 281, 125(a) BNS 2023, 177 MV Act against the 1st respondent car driver. On completion of investigation final report was also filed against 1st respondent car driver as per Ex.P6. But both respondents remained exparte. So considering the FIR and evidence of the petitioner this tribunal decided that the accident happened due to rash and negligent of 1st respondent car driver. Accordingly, the point is decided.

7. ANSWER FOR POINT No.2:

7.1. The petitioner submits that she has sustained comminuted fracture mid-shaft of right humerus, with displacement of fracture fragments and facial injury, head injury, injury over both hands and legs and multiple internal and external injuries all over the body and was treated at Apollo Hospital, Chennai as inpatient from 01.07.2024 to 04.07.2024 for 4 days. In order to prove her contention the petitioner has marked Ex.P2 Accident Register and Ex.P3 discharge summary. So it is proved that petitioner has sustained grievous injury due to the accident. Since the petitioner sustained grievous injury due to the accident the petitioner is entitled for compensation.

7.2. It is already decided that accident has occurred due to the rash and negligence of the 1st respondent car driver. The 2nd respondent being the insurer

of 1st respondent car is liable to pay compensation to the petitioner. The quantum of compensation under various heads is as follows;

7.3.(a) Permanent disability

The petitioner was sent to the examination of the Medical Board and after examination, the Board of Doctors assessed her disability as 25%. But, no functional disability proved. Considering these aspects, this tribunal inclined to award compensation in percentage method. Since the disability found by the medical board as 25% and the accident was happened on 01.07.2024 as per the judgment of **Hon'ble Madras High court in CMA No.2995/2024 between the C.Rajasekar Vs Karthick and others dated 18.11.2024** a sum of **Rs.2,50,000/-** (25x 10,000) awarded under this head.

7.3.(b) Pain and suffering

Due to the accident the petitioner was sustained injury took treatment at Apollo Hospital, Chennai as inpatient from 01.07.2024 to 04.07.2024 for 4 days as per Ex.P2 Accident Register and Ex.P3 discharge summary. So till the healing of that injury she would have suffered the pain and not able to work properly due to the injury hence under this head this court inclined to award **Rs.30,000/-**.

7.3.(c) Medical Expenses

The petitioner for her injury took treatment at Apollo Hospital, Chennai as inpatient from 01.07.2024 to 04.07.2024 for 4 days as per Ex.P2 Accident Register and Ex.P3 discharge summary. The petitioner has also marked medical bills for a sum of Rs.87,789/- as per Ex.P4. Considering the nature of injury and various treatment the entire amount rounded off to **Rs. 90,000/-** awarded under this head.

7.3.(d) Attender Charges

As stated supra the petitioner took treatment at Apollo Hospital, Chennai as inpatient from 01.07.2024 to 04.07.2024 for 4 days as per Ex.P2 Accident Register and Ex.P3 discharge summary. So, during the time, a person would have stayed and assisted her hence a sum of **Rs.2000/-**(4x500) awarded under this head.

7.3.(e) Transport Charges

The petitioner after the accident took treatment at Apollo Hospital, Chennai as inpatient from 01.07.2024 to 04.07.2024 for 4 days as per Ex.P2 Accident Register and Ex.P3 discharge summary. So, she would have gone to hospital for many times but no transport bills marked. However considering the treatment period, distance to hospital a sum of **Rs.10,000/-** awarded under this head.

7.3.(f) Loss of Income during treatment period

The petitioner stated that she was working in Customer Support in M/s.Radington Ltd, Chennai and earned Rs.40,000/- per month. The petitioner has also marked ID card as per Ex.P7. But in evidence no documents marked for her income. Hence, this court considering her age was 37 at the time of accident and prevailed working atmosphere in 01.07.2024, fixed her notional income as Rs.20,000/- per month, as per judgment of **Hon'ble Madras High court in CMA 1889/2025 between Samundeeswari and others Vs Jeyaraman and others dated 01.08.2025**. Further during the treatment time and then at least for

four months she would have not able to work thereby lost her income so this court inclined to award **Rs.80,000/- (4x 20,000)** under this head.

7.3.(g) Loss of Amenities

In view of the fact that the petitioner took treatment at Apollo Hospital, Chennai as inpatient from 01.07.2024 to 04.07.2024 for 4 days as per Ex.P2 Accident Register and Ex.P3 discharge summary. Hence, during that time certainly, she would have loss amenities by not able to perform her day today work properly so under this head this court inclined to award **Rs. 20,000/-**.

7.3.(h) Extra nourishment

During the period of treatment and the subsequent days petitioner would have to take nutritious food to restore her body to normal condition so under this head this court inclined to award **Rs.20,000/-**.

The summing up of the award amounts under the various heads are as follows,

Part disability	Rs. 2,50,000/-
Pain and Suffering	Rs. 30,000/-
Medical expenses	Rs. 90,000/-
Attendant charges	Rs. 2,000/-
Transportation	Rs. 10,000/-
Loss of Income	Rs. 80,000/
Loss of Amenities	Rs. 20,000/-
Extra Nourishment	Rs. 20,000/-
TOTAL	Rs. 5,02,000/-

8. In the result, this petition is partly allowed that,

(i)	An award of Rs.5,02,000/- (Rupees Five Lakhs Two Thousand only) is passed in favor of the petitioner with interest at 7.5% p.a. from the date of petition, i.e 26.09.2024 to till the date of payment payable by the second respondent with costs.
(ii)	There will be no interest for the default period if any.
(iii)	The compensation amount shall be deposited into this court Bank Account in the name of Registrar (MACT), Court of Small Causes, Chennai Account No. 7103261207 IFSC No. IDIB000M157 Indian Bank, Madras High Court Branch, Chennai within two months.
(iv)	Considering the long pending of this OP and age of the petitioner, on deposit the petitioner permitted to withdraw the entire amount on separate application.
(v)	On petition for payment of the above said amount payable to the petitioner/claimant which shall be transferred to petitioner/claimants bank account No.00420110074626, UCO Bank, Sowcarpet Branch, IFSC.UCBA0000042, through RTGS (or) NEFT.
(vi)	The petitioner has paid a sum of Rs.375/- towards Court fee. As per this award, the Court fee is Rs.4,392.50. The Advocate fee is fixed at

	Rs.16,016.50. The Additional Court fee of a sum of Rs.4,017.50 shall be paid within 10 days.
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Dictated by me to the Steno-typist and she directly typed it in the computer after corrections pronounced by me in Open Court, on this the 8th day of July 2026.

**VI Judge
Court of Small Causes,
Chennai-104.**

LIST OF WITNESSES EXAMINED FOR THE PETITIONER: -

SL.No.	DATE	NAME OF THE WITNESSES	REMARKS
PW1	03.11.2025	Ramya Ravichandran (Petitioner)	Ex.P1-Ex.P11

LIST OF EXHIBITS FOR THE PETITIONER: -

SL. No.	Date	Document Particulars	Document Type
Ex.P1	03.07.2024	First Information Report	Photocopy
Ex.P2	--	Accident Register	Photocopy
Ex.P3	01.07.2024 to 04.07.2024	Discharge summary issued by Apollo Hospital, Chennai	Original

Ex.P4	--	Medical bills Rs.87,789/-	Original
Ex.P5	--	X ray report	Original
Ex.P6	--	Final report	Photocopy
Ex.P7	--	ID card of the petitioner	Photocopy
Ex.P8	--	Driving license of the petitioner	Photocopy
Ex.P9	---	Aadhar card of the petitioner	Photocopy
Ex.P10	---	Bank pass book 1 st page of the petitioner	Photocopy
Ex.P11	--	Pan card of the petitioner	Photocopy

COURT DOCUMENT:

Sl No.	Date	Document Particulars	Document Type
Ex.C1	--	Disability certificate of the petitioner issued by Medical Board.	Original

**VI Judge
Court of Small Causes,
Chennai-104.**

Other necessary Particulars:

Date of filing of claim petition : 20.08.2024

Date of taking the petition on file : 26.09.2024

Compensation Claimed in the MCOP : Rs.15,00,000/-

Compensation awarded in this petition	:	Rs.5,02,000/-
Court fee payable on the award amount	:	Rs. 4,392.50
Court fee paid along with the petition	:	Rs. 375/-
Balance Court fee to be paid	:	Rs. 4,017.50

STATEMENT OF COSTS

Stamp on Petition	Rs. 4,392.50
Stamp on Vakalat	Rs. 10.00
Stamp on Process	Rs. 50.00
Advocate Fees	Rs. 16,016.00

Costs Allowed	Rs. 20,468.50 (Rounded off to Rs.20,469/-)
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**VI Judge
Court of Small Causes,
Chennai-104.**

Deficit Court fee paid, in Memo SR.No.-----, dated:
Verified by: