

In The Court Of Exclusive Motor Accident Claims Tribunal, Tiruppur.

Present: **Thiru. N. Sundaram, B.Sc., B.L., (TN-01411)**
Presiding Officer,
Exclusive Motor Accident Claims Tribunal,
Tiruppur.

Thursday, 11th Day of June 2026.

Thiruvalluvarandu 2057 Sri Parabhavaa Varudam Vaikaasi Thingal 28nd Day.

M.C.O.P. Nos. 785 & 786/2023.

[CNR.No. TNTI200009842023 & TNTI200009862023]

1.	2.	3.	4.	5.
MCOP. No. & CNR.No.	Name and Address of the Petitioner Thiru/Tmt./Ms.	Amount of award Rs.	In cases where the compensation, interests and costs are directed to be paid proportionately, the award should also specify who shall pay which portion of award, interest and costs.	In cases where there are several claimants, the shares and amounts payable to each of them shall be specified.
785/2023	Amar Simachal Shetty (26), S/o. Simachal Kora Shetty, 36, Vidhya Sagar CHS Ltd., Badri Kedar Sec 40, Sea Wood, Navi Mumbai, Thane, Nerul Node-3 Maharashtra 400706 <u>Now residing at:</u> MKS Gounder Garden, Malaipalayam, Alagumalai, Thongitipalayam, Tiruppur.	1,69,000/-	The 3 rd Respondent is liable to pay the the said Award Amount with interest at the rate of 7.5% p.a from the date of presentation of the claim petition till the date of deposit, with costs within 30 days from the date of Order.	The petitioner is entitled to ₹.1,69,000/- with proportionate interest and cost.
786/2023	R.Rajkumar (23), S/o. Rajendran, No.3-14, Adithiravidar Street, Malikaithidal, Valangaiman Taluk, Tiruvarur 614302. <u>Now residing at:</u> MKS Gounder Garden, Malaipalayam, Alagumalai, Thongitipalayam, Tiruppur.	1,31,000/-	The 3 rd Respondent is liable to pay the the said Award Amount with interest at the rate of 7.5% p.a from the date of presentation of the claim petition till the date of deposit, with costs within 30 days from the date of Order.	The petitioner is entitled to ₹.1,31,000/- with proportionate interest and cost.



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6.	7.	8.	9.
MCOP.No.	The mode and manner of deposit of compensation	Costs if any,	Balance of Court fee
785/2023	The 3 rd Respondent is directed to deposit the Award amount of Rs.1,69,000/- with Interest and Cost in the State Bank of India VAN Collection No. EMACT2MCOP 7852023, IFSC Code No. SBIN0004266 , of Exclusive Motor Accidents Claims Tribunal, Tirupur maintained at State Bank of India, Bazaar Branch, Tirupur, within 30 days from date of this Award;	Stamp on petition - Rs. 20.00 Stamp on Vakalath - Rs. 5.00 Court fee - Rs.1,063.00 Advocate fee - Rs.6,380.00 =====	The Petitioner is directed to pay the Court Fee of Rs.1,063/- before the Tribunal within 2 weeks from the date of this Order. It is also held that the Petitioner/ Claimant shall not be entitled to withdraw the sum deposited as per the Award till the balance of Court Fee is deposited.
786/2023	The 3 rd Respondent is directed to deposit the Award amount of Rs.1,31,000/- with Interest and Cost in the State Bank of India VAN Collection No. EMACT2MCOP 7862023, IFSC Code No. SBIN0004266 , of Exclusive Motor Accidents Claims Tribunal, Tirupur maintained at State Bank of India, Bazaar Branch, Tirupur, within 30 days from date of this Award;	Stamp on petition - Rs. 20.00 Stamp on Vakalath - Rs. 5.00 Court fee - Rs. 683.00 Advocate fee - Rs.5,620.00 =====	The Petitioner is directed to pay the Court Fee of Rs.683/- before the Tribunal within 2 weeks from the date of this Order. It is also held that the Petitioner/ Claimant shall not be entitled to withdraw the sum deposited as per the Award till the balance of Court Fee is deposited.
		Total = Rs.7,468.00	
		Total = Rs.6,328.00	

Name and Address of the Respondents	1. Tr. D. Vijay (24), S/o. Devaraj, No.6/23. 23-1, Indhra Nagar, Karadivavi Village, Sulur, Coimbatore 641 658. 2. Tmt. A. Reena, W/o. Arulraj, No.41/26E/JA, Sakthi Garden, Vadasery, Kanyakumari 629001. 3. M/s. Shri Ram General Insurance Company Ltd., No.3, NMS Towers, Palladm Main Road, Indra Nagar, Tiruppur.
Name of the Insurance Company	M/s. Shri Ram General Insurance Company Ltd., No.3, NMS Towers, Palladm Main Road, Indra Nagar, Tiruppur 641 604.
Date of filing of the claim petitions	24.03.2023
Date of award	11.06.2026
Interest rate applicable	7.5% per annum
Date (s) from which interest is payable	24.03.2023
Period of default to which the petitioner is not entitled for interest, if any.	-Nil-



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Sl.No	MCOP. No	Name of the petitioners		Name of the Respondents
1.	785/2023	Amar Simachal Shetty	//VERSUS//	1. D. Vijay
2.	786/2023	R.Rajkumar		2. A. Reena 3. M/s. Shri Ram General Insurance Company Ltd., Tiruppur

These Claim Petitions taken on file by this Tribunal on 11.08.2023 came up for final hearing on to-day in the presence of **Tr. P. Murugesan**, Advocate for the petitioners. **Tr. P. Rajendran**, Advocate for the 3rd Respondent. The 1st and 2nd Respondents did not appear and they were called absent and set exparte on 16.02.2024. Upon hearing the arguments advanced on both sides and upon perusing the materials available on record, this court delivered the following:-

COMMON ORDER

These Claim Petitions in MCOP Nos. 785/2023 and 786/2023 have been filed under Section 166 of the Motor Vehicles Act seeking a compensation of Rs.20,00,000/- each.

2. Case of the Petitioners in both the Claim Petitions are as follows:

a) One Amar Simachal Shetty is the petitioner in MCOP. 785/2023 and one Rajkumar is the petitioner in 786/2023. In both cases, the petitioners have claimed that on 24.07.2023 at about 20.00 hours, the petitioner Rajkumar was riding



the Hero Pleasure Bike bearing Registration No. TN 42 AF 5045 along with his friend Amar Simachal Shetty as sitting pillion, from east to west direction, near Vattamalaipalayam Pirivu, Avinashipalaya, on the Trichy to Coimbatore Road, an Eicher Van bearing Registration No. TN 86 D 2633 driven by the 1st Respondent in a rash and negligent manner, from the opposite direction hit the petitioners vehicle resulting in the accident. The 2nd Respondent is the owner of the Eicher Van TN 86 D 2633 and the 3rd Respondent is its Insurer.

b) The Petitioner Amar Simachal Shetty has claimed that he suffered Grievous injuries and was treated at MPS Hospital, Andipalayam, Government Medical College Hospital, Tirupur and CMCH., Coimbatore. The petitioner who aged about 23 years was earning Rs.25,000/- per month working as a Tailor in Banian Company, Tiruppur. The Petitioner Rajkumar has claimed that he suffered Grievous injuries and was treated at MPS Hospital, Andipalayam, Government Medical College Hospital, Tirupur and CMCH., Coimbatore. The petitioner who aged about 23 years was earning Rs.25,000/- per month working as a Tailor in Banian Company.

c) Both the petitioners had claimed that they are not able to continue their avocation. Hence, these Petitions.



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3. In both Cases, the 1st and 2nd Respondents have not appeared to contest these Claim Petitions. The 3rd Respondent / Insurance company has filed Petition under Section 170 of the Motor Vehicles Act in both Cases and the same has been allowed.

4. Case of the 3rd Respondent as seen from its Counter in both petitions:

This petition is not maintainable either in law or on facts. Both petition averments are denied as false. The 1st Respondent did not have an effective driving license to drive the same at the time of accident. The accident occurred only due to the rash and negligence of the petitioners. The Petitioners did not suffer any injuries or disabilities. Hence, this respondent is not liable to pay any compensation to the petitioners. The petitioners must prove their age, income and occupation with documentary evidence. The amount of compensation claimed by the petitioners is unsustainable. Hence the petitions are liable to be dismissed.

5. Points of Consideration:

1. On whose Negligence, these Petitions mentioned Accident is occurred?
2. Whether the Petitioners in both Cases are entitled to any Compensation?
3. If so, who has to Pay and what is the Quantum of Compensation & to what other Reliefs?

6. A Memo had been filed for Joint Trial. A Joint Trial was ordered and the Evidence was ordered to be recorded in MCOP No.785/2023.



7. The Petitioner Rajkumar in MCOP No. 786/2023 had filed his Proof Affidavit and examined himself as PW1. The Petitioner Amar Simachal Shetty in MCOP No. 785/2023 had filed his Proof Affidavit and examined himself as PW2. Totally, twelve Documents as Ex.P1 to P12 have been marked through them. On the side of 3rd Respondent, Tr. Karthick, Junior Assistant of RTO office, Tiruppur (South) has been examined as RW1 and Ex.X1 to Ex.X4 have been marked through him. Tr. Ragunath, Legal Officer of 3rd Respondent Insurance Company has been examined as RW2 and Ex.R1 to Ex.R3 have been marked through him.

The Written Argument filed by the 3rd Respondent's Counsel had also been perused along with the entire materials. And both side Counsels appeared have also been heard.

8. **Answer to Point No.1:**

a) The Witnesses PW1 Rajkumar and PW2 Amar Simachal Shetty are the injured persons in these petitions mentioned Accident.

b) It is the case of the Petitioners side that at the time of Accident, the petitioner Rajkumar was riding the Hero Pleasure Bike bearing Registration No. TN 42 AF 5045 along with his friend Amar Simachal Shetty as pillion, from east to west



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direction and when they are nearing Vattamalaipalayam Pirivu, Avinashipalayam on Trichy - Coimbatore Road, an Eicher Van bearing Registration No. TN 86 D 2633 driven by the 1st Respondent in a rash and negligent manner which came from the opposite direction had hit the petitioners vehicle resulting in the accident. The Witnesses PW1 Rajkumar & PW2 Amar Simachal Shetty had adduced evidences in the above said manner with respect to manner of accident. Through the Witness PW1 Rajkumar, the Copy of FIR registered in this Accident, Copy of Rough Sketch, Copy of Charge Sheet and the Copy of MVI Report of Eicher Vehicle TN 86 D 2633 had been marked as Ex.P1, Ex.P2, Ex.P4 & Ex.P7 respectively.

c) Both the Witnesses have been cross examined by the 3rd Respondent side alone. The 1st & 2nd Respondents who are the Driver & Owner of the said Eicher Vehicle remained exparte. The 3rd Respondent side have not disputed and questioned the Witnesses on the Place, Date & Time of Accident & also on the Vehicles involved in the Accident. Ex.P1 is the FIR being Registered on the complaint of PW1 Rajkumar on the petitions mentioned accident against the 1st Respondent only.

d) The registration of Ex.P1 FIR against the 1st Respondent for his rash & negligent driving of his vehicle TN 86 D 2633 & causing injuries had not been disputed and questioned by the 3rd Respondent side with the Witnesses PW1 & PW2.



No contra evidences had been elicited from those two witnesses by the 3rd Respondent side either in favour of 3rd Respondent side case or against the petitioners side case with respect to manner of Accident. And no evidences had been adduced on the 3rd Respondent side on the point of negligence. No contra evidences had been obtained from the witness PW1 Rajkumar and PW2 Amar Simachal Shetty with respect to the manner of accident as against the Ex.P1 FIR and Ex.P4 Final Report also.

e) Ex.P4 Final Report being a positive Report leveling the Charges for the Offences punishable under Section 279 and 338 (2 counts) of IPC as against the 1st Respondent Vijay who drove the Eicher Van bearing Registration No. TN 86 D 2633 has to be looked into and relied upon without any hesitation since no contra evidences either been obtained from PW1 Rajkumar & PW2 Amar Simachal Shetty or produced from the 3rd Respondent side. And no questions had been posed to the Witness PW1 & PW2 on the Investigations done in Ex.P1 FIR and filing of Ex.P4 Final Report against 1st Respondent. Ex.P2 Rough Sketch had also not been questioned by the 3rd Respondent side.

f) Both the 1st and 2nd Respondents after receiving the summons in this case have not turned up to say anything about the case being filed against them. The above said silence of the 1st Respondent amounts to acceptance of his rash & negligent riding. This adverse inference alone should be drawn against the 1st Respondent.



g) In these circumstances, this Tribunal by relying upon the oral evidence of PW1 Rajkumar & PW2 Amar Simachal Shetty and the documentary evidences of Ex.P1 FIR, Ex.P2 Rough Sketch & Ex.P4 Charge Sheet is holding that the 1st Respondent is the reason / cause for the petitions mentioned accident. Because of the rash and negligent driving of the 1st Respondent, these petitions mentioned accident is happened. Accordingly, the Point No.1 is answered.

9. Answer to the Point No.2: Since, the Point No.1 is answered in favour of the Petitioners side, the Petitioners/Claimants are entitled to receive Compensation. Accordingly, the Point No.2 is also answered in favour of the Petitioners side.

10. Answer to Point No.3:

(i) Who has to pay the Compensation ?

a) From the 3rd Respondent side, two witnesses has been examined as RW1 and RW2.

b) The Witness RW1 Karthick is the Junior Assistant from the Office of RTO, Tiruppur (South). And through this Witness RW1 Karthick, four documents have been marked as Ex.X1 and Ex.X4. Ex.X1 is the Authorization Letter, Ex.X2 is the Copy of the MVI Report of Eicher Van TN 86 D 2633 which already had been marked as Ex.P7 on the Petitioners side and Ex.X3 is the Copy of Driving License Extract Details of the 1st Respondent Vijay.



Ex.X2/Ex.P6 and Ex.X3 had been perused by this Tribunal. From the evidence of RW1 Karthick, it had been made clear by the 3rd Respondent side that the 1st Respondent is not having valid and effective driving license to drive a Heavy Goods Vehicle at the time of Accident. But, the 3rd Respondent side is failed to prove that the offending vehicle viz. Eicher bearing Registration No. TN 86 D 2633 is a Heavy Goods Vehicle by adducing evidences with respect to its laden & unladen weight. Ex.X2/Ex.P6 Copy of MVI Report of Eicher Vehicle classifies it as a Goods Carrier only and not describes anything as Heavy Goods Vehicle. As per Ex.X3 Copy of Extract of Driving Licence of 1st Respondent Vijay, the 1st Respondent is having valid and effective driving licence at the time of Accident to drive Light Motor Vehicles & Light Motor Vehicles Transport in DL No.TN37Z20190003142 MCWG LMV LMV-TR. And its Validity for LMV Transport Vehicles is upto 15-02-2028 & for Non-Transport LMV is upto 29-07-2039.

c) In such circumstances, this Tribunal is of the view that the 3rd Respondent side failed to prove their case that the 1st Respondent is not having valid & effective driving licence to drive the Offending vehicle. The 3rd Respondent side had examined its Legal Officer as RW2. Through the witness RW2 Ragunath, the policy document issued to the offending vehicle TN 86 D 2633 had been marked as Ex.R1. The 3rd Respondent had not disputed their role



as an insurer to the above said offending vehicle. Further, the 3rd Respondent side had clearly stated in their Counter Statement & also in their Written Arguments that the interest of 2nd Respondent/Owner of Eicher Vehicle is covered at the time of Accident under Ex.R1 Policy. Thus, it had been proved that the Offending Vehicle is being covered under the Ex.R1 Policy on the date of Accident.

d) In such circumstances, this Tribunal by considering the above said facts & circumstances that the petitioners being a third Party to the Ex.R1 Policy and the accident occurred only due to the rashness and negligence of the 1st Respondent and also considering the fact that the Offending Vehicle is being insured with the 3rd Respondent is holding that the 3rd Respondent shall be liable to pay compensation to the petitioners on behalf of 2nd Respondent.

(ii) Quantum of Compensation ?

(A) in MCOP. 785/2023:

a) The petitioner side had produced documentary evidences with respect to the injuries and treatment taken by the Petitioner Amar Simachal Shetty. From Ex.P9 and Ex.P10 are the copies of Accident Register and Wound Certificate issued by Government Medical College Hospital, Tiruppur. Ex.P12 is the Copy of Discharge Summary issued by CMCH., Coimbatore. Ex.P12 Discharge Summary shows that the petitioner has suffered “Raw area Right wrist fracture zone, Extensor injury and



Right Dorsum of foot Raw area. The Petitioner Amar Simachal Shetty was admitted on 25.07.2023. Surgeries were performed on 07.08.2023 and 28.08.2023. The Date of discharge is not mentioned in Ex.P12 Discharge Summary. The 3rd Respondent side had not questioned and disputed the Ex.P12 Discharge Summary and also the Treatments taken at CMCH., Coimbatore. And no specific medical evidence had been adduced with respect to any disabilities caused. Hence, it is held that the petitioner has not suffered any permanent / partial disability or functional disability.

b) Considering the nature of injuries sustained by the petitioner, this Tribunal is of the view that the petitioner's case has to be considered as a case of grievous Injury. Accordingly, this Tribunal is awarding a sum of **Rs.75,000/-** towards Grievous Injury and also for pain and Suffering.

c) And it is also to be noted that the petitioner side had not adducing any convincing evidences on avocation and income of the petitioner that he was working as a Tailor and earning Rs.25,000/- per Month.

d) Hence, the income of the petitioner has to be taken notionally by considering the age of the petitioner. Accordingly, a sum of Rs.13,000/- is fixed as monthly income of the petitioner. And further, the Petitioner would require a minimum of three Months time to recover. So, the Petitioner would be entitled to loss of Income for the said period. And thus, the Petitioner shall be entitled to Claim of Compensation under the following Heads:



e) **Pecuniary Damages:**

i) **Loss of Income:** Since, the income of the petitioner was fixed at Rs.13,000/- notionally, his loss of income for the one month would be arrived at **Rs.39,000/-**. Accordingly, the said amount is awarded under the head of loss of income.

ii) **Expenses towards Transportation:** Considering the nature of Injuries & the period of treatment take, the petitioner has been awarded a sum of **Rs.10,000/-** towards Transportation expenses.

iii) **Expenses towards Extra Nourishment and Attender Charges :** A sum of **Rs.30,000/-** is awarded for nourishment and attender charges as it is seen that the petitioner has suffered grievous injuries.

iv) **Damages towards his Cloths and Articles:** A sum of **Rs.5,000/-** is awarded under this head.

v) **Expenses incurred for Treatment and Medicines:** The Petitioner has not produced any Medical Bills. Hence, no amount is awarded under the head of medical bills.

f) **Non-Pecuniary Damages :**

i) **Loss of Amenities:** The Petitioner had suffered Grievous Injuries. Hence, in the interest of Justice a sum of **Rs.10,000/-** is awarded towards Loss of Amenities. In this Case, no evidence had been let in on future Medical Needs. Hence,



no amount is granted for that Head.

g) In the light of the aforesaid discussions, it is held that the Petitioner Amar Simachal Shetty is entitled to the Compensation under the following Heads:

S.N	Under the Head	Calculation	
1.	Compensation of Grievous Injuries and Pain & Sufferings	Rs.	75,000/-
2.	Loss of Income	Rs.	39,000/-
3.	Expenses towards Transportation	Rs.	10,000/-
4.	Expenses towards Extra Nourishment and Attender Charges	Rs.	30,000/-
5.	Damages towards his Cloths and Articles	Rs.	5,000/-
6.	Loss of Amenities	Rs.	10,000/-
	Total Award amount	Rs.	1,69,000/-

(B) Quantum of Compensation in MCOP. 786/2023:

a) The petitioner side had produced documentary evidences with respect to the injuries and treatment taken by the Petitioner Rajkumar.

b) From Ex.P3 and Ex.P5 are the copies of Accident Register and Wound Certificate issued by Government Medical College Hospital, Tiruppur. Ex.P6 is the Treatment/Discharge Summary Note maintained by CMCH., Coimbatore. Ex.P6 Treatment/Discharge Summary had been perused. The Petitioner Rajkumar was admitted on 25.07.2023. Surgery was performed on the same day i.e. 25.07.2023 and got Discharged on 01.08.2023. The 3rd Respondent side had not questioned and disputed the Ex.P6 Treatment/Discharge Summary and also the Treatments taken at



CMCH., Coimbatore. And no specific medical evidence had been adduced with respect to any disabilities caused. Hence, it is held that the petitioner has not suffered any permanent / partial disability or functional disability.

c) Considering nature of injuries sustained by the petitioner, this Tribunal is of the view that the petitioner's case has to be considered as a case of grievous Injury. Accordingly, this Tribunal is awarding a sum of **Rs.75,000/-** towards Grievous Injury and also for pain and Suffering.

d) And it is also to be noted that the petitioner side had not adducing any convincing evidence on avocation and income of the petitioner that he was working as a Tailor and earning Rs.25,000/- per Month. Hence, the income of the petitioner has to be taken notionally by considering the age of the petitioner. Accordingly, a sum of **Rs.13,000/-** is fixed as monthly income of the petitioner.

e) And further, the Petitioner would require a minimum of two Months time to recover. So, the Petitioner would be entitled to loss of Income for the said period. And thus, the Petitioner shall be entitled to Claim of Compensation under the following Heads:

f) Pecuniary Damages:

i) **Loss of Income:** Since, the income of the petitioner was fixed at Rs.13,000/- notionally, his loss of income for the one month would be arrived at **Rs.26,000/-**. Accordingly, the said amount is awarded under the head.



ii) **Expenses towards Transportation:** Considering the nature of Injuries sustained, a sum of **Rs.10,000/-** is awarded towards Transportation expenses.

iii) **Expenses towards Extra Nourishment and Attender Charges :** A sum of **Rs.10,000/-** is awarded for nourishment and attender charges as it is seen that the petitioner has suffered grievous injuries.

iv) **Damages towards his Cloths and Articles:** A sum of **Rs.5,000/-** is awarded under this head.

v) **Expenses incurred for Treatment and Medicines:** The Petitioner has not produced any Medical Bills. Hence, no amount is awarded under the head of medical bills.

f) **Non-Pecuniary Damages :**

i) **Loss of Amenities:** The Petitioner had suffered Grievous Injuries. Hence, in the interest of Justice a sum of **Rs.5,000/-** is awarded towards Loss of Amenities. In this Case, no evidence had been let in on future Medical Needs. Hence no amount is granted for that Head.

g) In the light of the aforesaid discussions, it is held that the Petitioner Rajkumar is entitled to the Compensation under the following Heads:

S.N	Under the Head	Calculation	
1.	Compensation of Grievous Injuries and Pain & Sufferings	Rs.	75,000/-
2.	Loss of Income	Rs.	26,000/-
3.	Expenses towards Transportation	Rs.	10,000/-



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4.	Expenses towards Extra Nourishment and Attender Charges	Rs.	10,000/-
5.	Damages towards his Cloths and Articles	Rs.	5,000/-
6.	Loss of Amenities	Rs.	5,000/-
7.	Medical Expenses	Rs.	Nil
	Total Award amount	Rs.	1,31,000/-

g) Accordingly, the Point No.3 is answered. Except the above said Relief, the Parties to this Claim Petitions are not entitled to any other reliefs.

11. In the result, this Claim Petitions are accordingly allowed in-part with proportionate Costs on the following terms:-

(i) The Petitioners in MCOPs. 785/2023 and 786/2023, are entitled to an Award of **Rs.1,69,000/-** and **Rs.1,31,000/-** respectively with Interest and Cost.

(ii) The 3rd Respondent in MCOP No.785/2023 is directed to deposit the Award amount of **Rs.1,69,000/-** with Interest at the rate of 7.5% p.a from the date of presentation of the Claim Petition to till the date of realization with costs within 30 days from the date of this Order to the credit of the **State Bank of India VAN Collection No. EMACT2 MCOP7852023, IFSC Code No. SBIN0004266** directly by NEFT/ RTGS Mode. The Petitioner is not entitled to get any interest for the default period, if any.

(iii) The 3rd Respondent in MCOP No.786/2023 is directed to deposit the Award amount of **Rs.1,31,000/-** with Interest at the rate of 7.5% p.a from the date of presentation of the Claim Petition to till the date of realization with costs within 30 days from the date of this Order to the credit of the **State Bank of India VAN Collection No. EMACT2 MCOP7862023, IFSC Code No. SBIN0004266** directly by NEFT/ RTGS Mode. The Petitioner is not entitled to get any interest for the default period, if any.



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(iv) The Petitioners in **MCOPs. 785/2023 and 786/2023** shall be entitled to withdraw the entire Award amount immediately on its deposit.

(v) In **MCOPs. 785/2023 and 786/2023**, the Petitioners are directed to pay the remaining & balance Court Fee of **Rs.1,063/- and Rs.683/-** within 2 Weeks from the date of this Order. The Petitioner shall not be entitled to withdraw the sum deposited as per the Award until the balance Court Fee is deposited.

(vi) Advocate fee of **Rs.6,380/- and Rs.5,620/-** shall be paid through NEFT/RTGS Mode.

(vii) Following the Judgment of the Hon'ble High Court of Madras in M/s. Cholamandalam MS General Insurance Co Ltd., Vs. Ayyanar & others reported in **2020 (4) CTC 272**, no Decree is prepared. All the Parties are entitled to free Copies of this Award as per Section 168 (2) of the MV Act and Rule 20 (6) of MV Rules.

Dictated to the Steno-Typist, typed by her directly into the computer, corrected, printed out and pronounced by me in Open Court on this the 11th **Day of June 2026**.

Presiding Officer,
Exclusive Motor Accident Claims Tribunal,
Tiruppur.

I. Petitioner's side Witness:

1. PW1 Tr. Rajkumar, Petitioner in MCOP.786/2023
2. PW2 Tr. Amar Simachal Shetty, the Petitioner in MCOP.785/2023

II. Petitioner's side Exhibits:

1. Ex.P1 Copy of FIR
2. Ex.P2 Copy of Rough Sketch
3. Ex.P3 Copy of Accident Register of Rajkumar
4. Ex.P4 Copy of Charge Sheet



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5. Ex.P5 Copy of Wound Certificate of Rajkumar
6. Ex.P6 Treatment /Discharge Summary Note maintained by CMCH.,
Coimbatore
7. Ex.P7 Copy of MVI Report of TN 86 D 2633
8. Ex.P8 Copy of Aadhaar Card of PW1 Rajkumar
9. Ex.P9 Copy of Accident Register of PW2 Amar Simachal Shetty
10. Ex.P10 Copy of Wound Certificate of PW2
11. Ex.P11 Copy of Aadhaar Card of Amar Simachal Shetty
12. Ex.P12 Copy of Discharge Summary of Amar Simachal Shetty

III. Respondents side Witnesses:

1. RW1 Tr. Karthick, Junior Assistant of RTO office, Tiruppur (South)
2. RW2 Tr. Ragunath, Legal Officer of 3rd Respondent

IV. Respondents side Exhibits:

1. Ex.R1 Copy of Insurance Policy
2. Ex.R2 Notice issued by the 3rd Respondent to R1
3. Ex.R3 Track Consignment Report with Postal Receipts

V. Witnesses Side Exhibits:

1. Ex.X1 Authorization Letter issued by RTO., Tiruppur (South)
2. Ex.X2 Copy of MVI Report of TN 86 D 2633
3. Ex.X3 Copy of Extract of Driving License of R1
4. Ex.X4 Copy of Form-24.

Presiding Officer,
Exclusive Motor Accident Claims Tribunal,
Tiruppur.

*This Order was uploaded in CIS on 11.06.2026, as per Circular of
Hon'ble High Court in R.O.C. No. 83338-A/2024/ F1 dated 22.07.2025.



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DRAFT / FAIR Order.
MCOP Nos. 785/2023 & 786/2023.
Dated 11.06.2026