

BEFORE THE MOTOR ACCIDENTS CLAIMS TRIBUNAL AT MYSURU.
(IN THE COURT OF THE JUDGE, PRL. SMALL CAUSES AND SENIOR
CIVIL JUDGE, MYSURU).

M.V.C. No.72/2023

- Petitioner/s** : [01] Sri. V.N. Parashivamurthy
S/o. Sri. Nagarajappa, Age: 41 years,
- [02] Sri. Nagendra S/o. V.N.Parashivamurthy,
Age: 8 years,
- [03] Sri. Shashank S/o. V.N.Parashivamurthy,
Age: 1 years,

Since petitioner No. 2 and 3 are minors, Rep
by their natural guardian Father Sri. V.N.
Parashivamurthy i.e., Petitioner No.1

All are r/at Vaddarahundi village,
Bilikere hobli, Nanjanagud taluk,
Mysuru district.

// Vs //

- Respondent/s** : [01] Sri. Rakshith P.R S/o. Rangaswamy,
Age: 31 years, R/at D.No.13/1, Shivayogi
swamy, 2nd main road, Gandhinagar,
Mysuru.

Driver of the car bearing
No.KA-09/ME-5510

- [02] Sri. Ashwinkumar G. S/o. Gavisiddaiah,
R/at No.16, 3rd cross, 1st main,
Alanahalli, Giridarshini layout, Mysuru.

Owner of the car bearing
No.KA-09/ME-5510

[03] Magma HDI Insurance Co. Ltd.,
IInd floor, No.2916, Kantharaja Urs road,
Mysuru.

Insurer of the car bearing No.KA-09/ME-
5510

Policy No.P0020300050/4111/100010
valid from 29.06.2019 to 28.06.2022

A W A R D

Claim: Petition was filed on 03.01.2023 by the petitioner claiming compensation of Rs.85,65,000/- along with interest at the rate of 12% per annum from the date of petition till the realization with costs and such other reliefs as this Hon'ble Court deems fit to grant under the circumstances of the case, in the interest of justice and equity.

The petition coming on this the 2nd day of April 2026 for final disposal before Sri. Afthab K., B.A.L., LL.B., Prl. Judge, Court of Small Causes and Senior Civil Judge and M.A.C.T., Mysuru, in the presence of Sri. Shivaramu A.S., Advocate for petitioner, Sri. M. Mahesh, Advocate for Respondent No.1 and Smt. K.L. Sugandhi, Advocate for Respondent No.2.

On contest and by pronouncing the Judgment, it is ordered and awarded that the petition filed by the petitioners under section 166 of Motor Vehicles Act is hereby allowed in part with costs.

Further, it is ordered and awarded that the Petitioners are entitled for compensation of ₹.29,40,700/- (Rupees Twenty Nine Lakhs Forty Thousand and Seven Hundred only) with interest at the rate of 6% per annum from the date of petition till its realization including interim compensation if any awarded.

Further, it is ordered and awarded that the respondent No.2 and 3 are jointly and severally liable to pay compensation to the petitioners within one month from the date of this judgment.

Further, it is ordered and awarded that the Respondent No.3 shall indemnify the respondent No.2 in payment of compensation to the petitioners.

Further, it is ordered and awarded that the petition as against respondent No.1 who is the driver is dismissed.

Further, it is ordered and awarded that the petitioners No.1 to 3 are entitled for compensation at the ratio of 50:25:25 respectively.

Further, it is ordered and awarded that once the compensation amount is deposited, out of the total compensation amount apportioned towards the share of petitioner No.1, 50% of the compensation shall be deposited in the separate name of petitioner No.1 in fixed deposit for a period of three years in any nationalized bank on condition not to withdraw and encumber the deposit in any mode without prior permission of this Tribunal with a direction to the bank to make note on the deposit receipt not to avail any loan or advance and remaining amount shall be paid to the petitioner No.1; and the balance amount shall be paid to the petitioner No.1 by following the procedure prescribed in that regard.

Further, it is ordered and awarded that the amount apportioned towards the share of petitioner No.2 and 3 shall be deposited in the separate names of petitioner No.2 and 3 in any nationalized bank or scheduled bank until they attain majority or for a period of 3 years

whichever is higher. However the next friend of the petitioner No.2 and 3 is entitled to get the interest amount released periodically.

Further, it is ordered and awarded that Advocate's fee is fixed at ₹.1,000/-.

Given under my hand and the seal of this Court, this the 2nd day of April 2026.

Award signed on:

Prl. Judge,
Court of Small Causes,
& M.A.C.T., Mysuru.

MEMORANDUM OF COSTS INCURRED IN THIS PETITION

	Petitioner/s Rs.	Respondent/s Rs.
Court Fee on Petition	10-00	-
-do Power	-	-
-do- Application	-	-
Cost on Application	-	-
Process fee	30-00	-
Advocate's Fee (FC filed)	1000-00	-
Copying charges	-	-
Total	1040-00	-

Prl. Judge,
Court of Small Causes &
M.A.C.T., Mysuru.