

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.94/2025

- Petitioner/s** : [01] Smt. Saraswathi K.T. W/o. Late Ganesh,
Age: 42 years,
- [02] Master Raghavendran G.S. S/o. Ganesh,
Age: 15 years, since minor he is represented
by his natural guardian mother Smt.
Saraswathi K.T. i.e., 1st petitioner
- Both are r/at #724/2, Katte Hosuru village,
Manchegowdanakoppalu, Vijayanagara
post,
Mysuru.
- [03] Smt. Radhamani W/o. Late Sridharan Nair,
Age: 84 years, R/at Kedavur village,
Tamarasseri taluk, Kozikhod district,
Kerala.

// Vs //

- Respondent/s** : [01] Sri. Kubera S/o. Nanjappa,
R/at Ullenhalli village, Konanuru hobli,
Arakalagudu taluk, Mysuru-573130.
Owner of the car bearing No.KA-13/Z-4703
- [02] The Manager, HDFC ERGO
General Insurance Co. Ltd.,
Office at Maharaja Complex,
opp. Suburban bus stand, Nazarbad,
Bengaluru – Nilgiri road, Mysuru-570010.

Policy No.2311204540650000000
valid from 28.02.2024 to 27.02.2025

A W A R D

Claim: Petition was filed on 09.01.2025 by the petitioner claiming compensation of Rs.60,50,000/- along with interest at the rate of 18% 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 1st day of July 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. H.R. Mahadevaprabhu, Advocate for petitioner, Sri. Kantharaju S., 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 ₹.23,94,700/- (Rupees Twenty Three Lakhs Ninety Four 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 respondents 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.2 shall indemnify the respondent No.1 in payment of compensation to the petitioners.

Further, it is ordered and awarded that the petitioners No.1 to 3 are entitled for compensation at the ratio of 50:30:20 respectively.

Further, it is ordered and awarded that once the compensation amount is deposited, out of the compensation amount 50% shall be deposited in the name of petitioner No.1 in a fixed deposit for a period of 3 years, in any nationalized bank or scheduled bank on a condition that the petitioner No.1 shall not withdraw and encumber the deposit in any mode without prior permission of this court and the concerned bank shall be directed to make a note on the deposit receipt not to avail any loan or advance; and the remaining 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 shall be deposited in the separate name of petitioner No.2 in any nationalized bank or scheduled bank until he attain majority or for a period of 3 years whichever is higher. However the next friend of the petitioner No.2 is entitled to get the interest amount released periodically.

Further, it is ordered and awarded that the quantum of compensation awarded in favor of petitioner No.3 is meager, after deposit of the compensation amount, the entire compensation amount shall be released in favor of the petitioner No.3, by following the procedure prescribed in that regard.

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 1st day of July 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	10-00	-
Advocate's Fee (FC filed)	1000-00	-
Copying charges	-	-
Total	1020-00	-

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