

BEFORE THE MOTOR ACCIDENTS CLAIMS TRIBUNAL,
CHENNAI

(In the IV Court of Small Causes, Chennai)

Present: Tmt.M.Arundhadhi, B.A. B.L.,
IV Judge

Friday, the 3rd day of July 2026

M.C.O.P. 2972 of 2021 - CNR No.TNCH09-004381-2021

M.C.O.P. 2973 of 2021 - CNR No.TNCH09-004382-2021

M.Malliga,
W/o. Murugesan,
No.83, Vellazhar Street,
Thirukazhukundram,
Pin -603 109.

....Petitioner in MCOP 2972/2021

S.Murugesan,
S/o. Late Subramani,
No.83, Vellazhar Street,
Thirukazhukundram,
Pin -603 109.

....Petitioner in MCOP 2973/2021

-Vs-

1. N.Girivardhana Roa,
No.1, 1st Street, Grahapravasam Nagar,
Periyapalayam, Thiruvallur,
Pin – 601 102.

2. United India Insurance Company Limited.,
Silingi Buildiing, 4th Floor,
Motor Third Party Claims Hub,
No.132, Greams Road, Chennai – 600 006.

....Respondents in both OP's

This petition is came up before me for final hearing on 18.02.2026 in the presence of M/s.A.Gurunathan, Counsels appearing for the Petitioner in both OP's, 1st respondent called absent and set exparte, M/s.S.Vidya, R.S.Vaideeswaran, N.Indra and G.Senthamizhan, Counsel appearing for the 2nd respondent in both OP's, upon hearing the arguments on both sides and upon perusing the entire records of the case, having stood over for consideration till this date, this Tribunal pronounces the

following:-

ORDER

1. This petition has been filed under Section 166 of the Motor Vehicles Act and Rule 3 of the Motor Vehicles Rules, seeking for compensation of **Rs.3,00,000/-** in MCOP 2973/2021, **Rs.5,00,000/-** in MCOP 2972/2021 for the injuries sustained by the Petitioners in both O.P.'s in a motor accident.

Joint trial memo filed by the petitioner and allowed on 11.03.2024. The evidence recorded in OP 2973/2021.

2. The common averments made in the petition are briefly as follows:-

(i) The case of the petitioners is that on 13.06.2021 at about 07.10 hrs, when the petitioner in MCOP 2973/2021 was riding a Two wheeler bearing Registration No. TN 09-AA-1237 along with pillion rider (petitioner in MCOP 2972/2021) proceeding from Mambakkam Main Road, at that time Lorry bearing Registration No. TN 20-CJ-3213 which belongs to the 1st respondent driven by its driver came from backside and overtook on the right side and hit the petitioner's Two wheeler in the front and thus caused the accident to the petitioners. As a result, the petitioners sustained grievous injuries as stated in Column No.11 of the petition (MCOP 2973/2021 and 2972/2021). The accident was reported to Chennai South Traffic Investigation, Chrompet Police Station and the case was registered in Crime No.172/2021. The accident occurred only due to the rash and negligent driving by the driver of the respondent's vehicle.

(ii) As mentioned in the petition, the petitioner in OP 2973/2021 was aged 65 years and he is a Electrician and earning Rs.25,000/- per month, petitioner in OP 2972/2021 was aged 56 years and she is a House Maid and earning Rs.7,000/- per month at the time of accident. Due to the injuries sustained by the petitioners, they are unable to do the activities as before the accident. The 1st respondent being the owner and 2nd respondent being the insurer of the vehicle viz., Lorry bearing Registration No. TN 20-CJ-3213 both are jointly and severally, vicariously and

statutorily liable to pay compensation for a sum of Rs.3,00,000/- in MCOP 2973/2021, Rs.5,00,000/- in MCOP 2972/2021 with interest along with cost. Hence this claim petition.

3. The common averments made in the counter filed by the 2nd respondent are briefly as follows:-

(i) The 2nd respondent denies the age, occupation and income of the petitioners. Further denies that the accident occurred due to the negligence of the 1st respondent vehicle driver and denies the manner of accident.

(ii) Further denies that the driver of the 1st respondent's vehicle possessed valid driving license, permit and his vehicle was insured with this respondent at the time of accident.

(iii) This respondent submits that at the time of accident the petitioner in OP 2973/2021, does not possessed valid driving licence and vehicle does not have insurance at the time of accident. The petitioner in OP 2972/2021 knowing fully well that the rider of the Two wheeler was not possessed valid driving licence has travelled in the Two wheeler, thereby he contributed towards the accident. The respondent further states that there is a delay of 3 days in lodging the FIR, which is fatal to the case. Further states that the petitioner in OP 2973/2021 gave letter to the 2nd respondent stating that 1st respondent vehicle had come in the opposite direction, whereas FIR and petition reveals that the petitioner was hit by the 1st respondent from the backside. Thus there is a discrepancy in the description of the accident itself and petitioner filed the false claim against this respondent. Hence the petition is to be dismissed.

(iv) Further denies the nature of injury, period of treatment and medical expenses of the petitioner and alleges that the claim is excessive and therefore prayed to dismiss the petition.

(v) The respondent reserves its right to contest the claim on all grounds available to 1st respondent u/s 170 MV act and craves to leave of the Tribunal to file

an additional counter. Since the accident not occurred due to rash and negligent act of 1st respondent the 2nd respondent is not liable to pay compensation. Hence petition is to be dismissed.

(vi) The 1st respondent remained exparte.

4. On the above pleadings the following points arise for determination:

- (1) Whether the accident has occurred due to rash and negligent driving by the driver of the vehicle viz., Lorry bearing Registration No.TN 20-CJ-321 which is owned by 1st respondent and insured with 2nd respondent?
- (2) Whether delay in lodging the FIR without explanation is fatal to the claim application?
- (3) Whether the 2nd respondent is not liable to indemnify the 1st respondent for policy violation?
- (4) Whether the Petitioners in both OPS are entitled for any compensation? If yes, what is the quantum of compensation and from which respondent?
- (5) To what relief the petitioners are entitled to?

5. ON THE POINTS:

(i) On the side of the petitioner, PW1 Murugesan & PW2 Malliga examined on proof affidavit and Ex.P1 to P17 & Ex.C1 in OP 2972/2021 were marked.

(ii) 1st respondent remained exparte. On the side of contesting 2nd respondent RW1 Jawahar examined on proof affidavit and Ex.R1 to R5 were marked. The RTO Report is marked as Ex.X1.

(iii) Based on the above materials the Learned Counsel for the petitioner and 2nd respondent submitted their arguments. Written Arguments of 2nd respondent filed. After hearing both sides and perusing material records and after giving careful consideration to the submission made on either side, the above points are answered as below.

6. Point No.1:

(i) The 2nd respondent denies the manner of accident and the negligence upon the driver of 1st respondent's lorry. The burden of proof is upon the petitioner to establish the manner of accident and negligence upon the driver of offending vehicle bearing Registration No.TN 20-CJ-3213. The petitioner in OP 2973/2021 and 2972/2021 examined as PW1 and PW2 on proof affidavit, they reiterated the petition averments and attributing the total negligence upon the driver of the 1st respondent's vehicle that on 13.06.2021 at about 07.10 hrs, when the petitioner in MCOP 2973/2021 riding in a Two wheeler bearing Registration No. TN 09-AA-1237 along with pillion rider(petitioner in MCOP 2972/2021) proceeding from Mambakkam Main Road, at that time Lorry bearing Registration No. TN 20-CJ-3213 which belongs to the 1st respondent driven by its driver came from backside and overtook on the right side and hit the petitioners and thus caused the accident to the petitioners. In the said road traffic accident the petitioner sustained grievous injury.

(ii) In support of their case PW1 relies upon Ex.P1 FIR, Ex.P3 AR copy and Ex.P11 AR Copy.

(iii) On the other hand, the 1st respondent remained exparte, inspite of service of notice.

(iv) The 2nd respondent/Insurance Company filed counter denies all the petition averments as false. The 2nd respondent further contended that the accident occurred only due to the rash and negligence of the petitioner. The 1st respondent vehicle driver is not responsible for the accident. Further submits the petitioner in OP 2972/2021 has given letter to the 2nd respondent stating that 1st respondent vehicle has come in the opposite direction, whereas FIR and petition reveals that the petitioner was hit by the 1st respondent from the backside. Thus, there is a discrepancy in the description of the accident itself and petitioner filed the false claim against this respondent. Hence the petition is to be dismissed. So the 2nd respondent is not liable to pay compensation to the petitioner. In support of his contention, RW1 Official witness examined and

relies upon Ex.R1 Letter. A perusal of the letter, it is seen that in the said letter alleged to be issued by the petitioner in OP 2973/2021 namely Murugesan to the 2nd respondent insurance company, describing the manner of accident that the offending vehicle Lorry came from the opposite direction. Admittedly, the said Ex.R1 is the Xerox copy. The original letter has not been produced, no explanation given by the 2nd respondent for non production of Original letter. Further the insurance company has not examined any independent witness to prove that, petitioner in OP 2973/2021 executed that said letter. It is pertinent note that, the said letter is not shown to the petitioner during cross examination. So mere marking of Xerox Copy will not prove the contention of the 2nd respondent. Ex.P1 FIR, it is clearly mentioned that the Lorry came from behind and overtook the petitioner vehicle and hit against the petitioner's Two wheeler. So in the absence of rebuttal evidence the contention of the 2nd respondent is not acceptable.

(v) Next contention of the respondent is that the petitioner in OP 2973/2021 was not holding a driving licence and vehicle was covered by valid insurance has reflected in the MV Report Ex.R2. At this juncture, it is pertinent to note that the absence of valid driving licence or insurance is a statutory violation, the burden of proof is upon the 2nd respondent to prove that petitioner was negligent and such negligence contributed to the occurrence of the accident. The 2nd respondent fails to establish that the petitioner in OP 2972/2021 was negligent in driving the Two wheeler, so in the absence of such evidence the plea of contributory negligence cannot be accepted solely on the ground of invalid driving licence and absence of insurance. Hence the contention of the 2nd respondent is not sustainable.

(vi) On the other hand, the petitioner through Ex.P1 FIR, Ex.P3 AR copy and Ex.P11 AR Copy clearly establishes that criminal Prosecution is lodged against the driver of the 1st respondent vehicle for the road traffic accident caused by him. Therefore from the oral evidence of PW1 documentary evidence Ex.P1, Ex.P3 & Ex.P11 the petitioner proves the negligence upon the driver of the offending vehicle

namely Lorry bearing Registration No.TN 20-CJ-3213. Hence Point No.1 answered affirmatively.

7. Point No.2:

(i) The 2nd respondent insurance company contended that there is a delay of 3 days in lodging the complaint, hence it creates the doubt regarding the manner of accident. In the present case the accident occurred on 13.06.2021 whereas FIR came to be registered on 16.06.2021 after delay of 3 days. On perusal of Ex.P1 FIR, there no specific reason stated by the petitioner for the delay instead after consultation it is family members the complaint has been lodged on 16.06.2021. However it is well settled that in Motor Accident Claim cases delay in lodging FIR is not fatal particularly when the occurrence is otherwise supported by contemporaneous medical records and other evidence. On perusal of Ex.P2 OP Sheet dated 13.06.2021 & Ex.P3 AR copy it is noticed as follows:-

(ii) "H/O RTA-2 wheeler vs 4 wheeler at Chitlapakkam Goldwinner at 7.10 a.m." which clearly shows that the petitioner sustained injury in the Road traffic accident on 13.06.2021, which corresponds to the date of accident. Ex.P2 & Ex.P3 leads to strong corroboration to the petitioners case. Further in the claim petition strict proof of evidence as required in criminal proceedings is not required and it is based only on preponderance of probabilities. The Honourable Supreme Court in Ravi -vs- Badrinath as held that in delay in lodging FIR cannot be a ground to reject the claim when the accident is otherwise established. The Ex.P1 FIR, Ex.P2 & P3 OP Sheet and AR copy remains unrebutted hence the delay in lodging the FIR does not discredit the claim. Therefore this tribunal comes to a conclusion the accident occurred only due to rash and negligent driving by the driver of the 1st respondent Lorry and petitioner sustained grievous injury in the said occurrence. Hence Point No.2 answered negatively.

8. Point No.3:

(i) It is the contention of the 2nd respondent Insurance Company that the

offending vehicle has no permit at the time of accident thereby violated the policy condition. To substantiate the defence, RTO report Ex.X1 filed. A perusal of Ex.X1, the National permit has expired on 27.03.2021 and same was renewed on 04.03.2022. Admittedly, on the date of accident there was no valid permit for the offending vehicle. As per G.O. (Rt) No. 1450, dated 14.12.2021, the Government Ordered that the validity of all vehicle documents Fitness, Permit, Registration Certificate, Driving Licence and related documents shall be extended until 31.12.2021. From the G.O. it is clear that the validity of the vehicular documents extended till 31.12.2021 due to Covid-19. Admittedly, the permit expired on 27.03.2021. For renewal, the time is extended till 31.12.2021, so it considered that on the date of accident the permit was valid and there is no policy violation. Hence Point No.3 answered negatively.

9. Point No.4:

(i) In view of the findings in Point No.1 the petitioner is entitled for just & reasonable compensation for the injuries suffered by him in the accident. There is no dispute that the offending vehicle motorcycle bearing Registration No. TN 20-CJ-3213 is owned by the 1st respondent and insured with the 2nd respondent at the time of accident. No dispute with respect to the accident and the petitioner got injured. Hence both the respondents 1 & 2 are jointly severally and vicariously liable to pay compensation to the petitioner.

(ii) The factors that are relevant to be considered in order to arrive at just compensation and the quantum of loss of income are the age of the claimant, the nature of employment, income, the nature of disability suffered and the impact of the permanent disability upon the earning capacity of the injured having regard to the nature of the employment.

OP 2973/2021

(i) The occurrence has taken place on 13.06.2021. As per the medical records, the age is given as 65 years as on the date of accident. Ex.P9 Aadhar card of PW1 the date of birth is given as 11.06.1956. Considering the same the age of the petitioner as

on the date of accident is fixed as 65 years.

(ii) According to the petitioner he is working as an Electrician and earning Rs.25,000/- per month, at the time of accident. To establish the same, he produced Ex.P18, Licence Issued by Tamilnadu Electrical Contractors and Wireman Central Association, Adyar. But he has not produced any documents to prove his income.

(iii) Next coming to the nature of injury sustained by the petitioner in the road traffic accident, as per Ex.P3 AR Copy, the petitioner taken to Tambaram Government Hospital, immediately after the accident after first aid treatment, the petitioner taken outpatient treatment at Parvathy Multispeciality Hospital. He diagnosed Unhealthy Deep abrasion of Left Medial Malleolus. He was treated conservatively as outpatient. Apart from Ex.P4, Outpatient no other medical records has been filed by the petitioner. Hence this tribunal inclined to consider the injury as simple in nature.

So considering the nature of injury, period of treatment, medical expenses, the pain and sufferings and Trauma undergone by the petitioner the Tribunal is inclined to award the consolidated amount of **Rs.90,000/-** towards compensation.

OP 2972/2021 :-

(i) The occurrence has taken place on 13.06.2021. As per the medical records in Ex.P2 AR copy, the age is given as 55 years as on the date of accident. Ex.P15 Aadhar card of PW2 the date of birth is given as 12.10.1965. Considering the same the age of the petitioner as on the date of accident is fixed as 55 years.

(ii) According to the petitioner she house maid and earning Rs.7,000/- per month, at the time of accident. But to substantiate the same no oral or documentary evidence produced to prove the avocation and income.

(iii) Considering her age, ability and economic condition in the year of 2021. Hence the notional income of the petitioner is fixed as Rs.7,000/- per month.

(iv) Next coming to the nature of injury sustained by the petitioner in the road traffic accident, as per Ex.P11 AR copy, the petitioner was taken to Tambaram

Government Hospital immediately after the accident. As per Ex.P12, the petitioner taken Outpatient treatment at RGGGH, Chennai. She was diagnosed with Luna Radius Fracture. She was treated conservatively. Ex.P13 Discharge Summary, the petitioner got admitted at Parvathy Hospital, Chennai and has taken treatment for 8 days as inpatient from 16.06.2021 to 23.06.2021 there he was diagnosed with Forearm Distal Ulna Fracture with Traumatic Unifacetal Fracture Dislocation of C5 and C6. She undergone surgery on 18.06.2021, Anterior Cervical Discectomy and Fusion of C5 and C6 and treated conservatively for Ulna Fracture and got discharged.

(v) Considering the nature of injury, petitioner referred to Regional medical board as per the directions of the Honourable High Court in the reported decision **Branch Manager, TATA AIG General Insurance Co., Ltd., Coimbatore -Vs- Prabhu & Others 2016 (1) TNMAC 609(DB)** for assessment of disability. The Medical Board opined that the petitioner has suffered 25% Neurological Permanent disability. Ex.C1 is the Disability certificate issued by Regional Medical Board and the same is accepted as it is.

(vi) Considering the nature of injury and Disability certificate Ex.C1 issued by the District Medical Board assessing the disability as partial permanent disability disability. Hence percentage method is adopted.

(vii) Based on the above discussed materials and facts and circumstances of the case, the compensation under both Pecuniary & Non – Pecuniary Heads are awarded as below:

Loss of Income during Medical Treatment:

The petitioner has taken treatment as inpatient from 16.06.2021 to 23.06.2021 i.e., for about 8 days for Forearm Distal Ulna Fracture. She underwent surgery Anterior Cervical Discectomy and Fusion of C5 and C6. Hence considering the available medical records and nature of injury sustained by petitioner, it might not taken less than 4 months for treatment and recovery. As we have already discussed her notional income is taken as Rs.7,000/- per month. Hence the loss of income

during the period of medical treatment and recovery is arrived at **Rs.28,000/-** (Rs.7,000 x 4 months).

Loss due to Partial Permanent Disability:

In view of the recent judgment of our *Hon'ble High Court of Madras in, C.M.A.No.1026/2024 dated 10.07.2024*

K.Mariappan vs. Muthukumaran.V and another, in which Hon'ble High Court held “ for the accident in the year **2022 Rs.8000/-** per percentage to be awarded”.

In the above OP, the accident is in the year 2021. Considering the year of accident, this tribunal took disability per percentage as Rs.8,000/-.

Hence keeping in mind on the above said decision of our Honourable High court, since the accident was occurred in the year of 2021, this Tribunal comes to the conclusion that the Petitioner has suffered **partial permanent disability** of 25% and the Petitioner is entitled for just compensation for the injuries sustained by her as Rs.8,000/- per percentage is allowed. Hence the Petitioner is entitled for **Rs.2,00,000/-** (Rs.8,000 x 25%) only as just compensation for the injuries sustained by her.

Medical expenses:

The petitioner has taken treatment at Parvathy Hospital, Chennai, she produced Ex.P14 Series of Medical bills for **Rs.60,003/-**. Hence the same is awarded as it is.

Transport Charges:

The petitioner has taken treatment at Parvathy Hospital, Chennai, Chennai as Inpatient for about 8 days for Forearm Distal Ulna Fracture. Hence she would have incurred transportation expenses for going for the treatment. Hence considering those facts transportation charges is arrived at **Rs.6,000/-**.

Extra-nourishment & Damages to clothing and articles:

Considering the nature of accident and the injuries suffered by the petitioner and the period of treatment it will be just to grant a sum of **Rs.25,000/-** towards extra

nourishment and **Rs.1,000/-** towards damages to clothing and articles.

Compensation for Pain and Sufferings:

The petitioner has suffered Forearm Distal Ulna Fracture and she was treated as inpatient for 8 days at Parvathy Hospital, Chennai, Chennai. Hence considering the nature of injury, period of treatment & disablement, trauma & pain undergone by the petitioner it is just and proper to award **Rs.80,000/-** towards pain and sufferings.

Attender Charges:

The petitioner admitted at Parvathy Hospital, Chennai as an in-patient for about 8 days and treated for Forearm Distal Ulna Fracture. The mobility of the petitioner is restrained by the injury and she depends on an attender to do her day to day avocations during treatment and also after treatment. Hence considering the nature of injuries and period of recovery a sum of **Rs.5,000/-** is awarded towards attender charges.

Loss of amenities:

The petitioner definitely would not act as before the accident due to the Forearm Distal Ulna Fracture suffered by her. Hence considering this facts, it would be just and proper to grant a sum of **Rs.60,000/-** towards loss of amenities.

In view of the foregoing discussion this Tribunal fixed the just compensation as follows:

CALCULATION:

1. Loss of income	:	Rs.	28,000/-
2. Disability	:	Rs.	2,00,000/-
3. Medical Expenses	:	Rs.	60,003/-
4. Transportation	:	Rs.	6,000/-
5. Extra Nourishment	:	Rs.	25,000/-
6. Damages to clothing and articles	:	Rs.	1,000/-
7. Pain and Sufferings	:	Rs.	80,000/-

8. Attender Charges	:	Rs. 5,000/-
9. Loss of amenities	:	Rs. 60,000/-
Total Compensation is fixed at	:	<u>Rs. 4,65,003/-</u>
Rounded off to	:	Rs. 4,65,100/-

In the light of the above assessment, the petitioner/Claimant is entitled for a just compensation of the above said amount of **Rs.4,65,100/-** i.e., four lakhs sixty five thousand hundred and Point No.4 is answered accordingly.

10. Point No.5:

In view of the above finding, the petitioner is entitled for compensation as above together with interest at 7.5% p.a from the date of petition with cost and none other relief the petitioner is entitled to and point No.5 is answered accordingly.

11. In the result,

(i) In OP 2973/2021, the petitioner is entitled for a sum of **Rs.90,000/-** (Rupees ninety thousand only) is awarded as just compensation to the Petitioner with cost and interest at the rate of 7.5 percent per annum from the date of filing of the Claim Petition i.e.,15.07.2021 till the realization, payable by the 2nd Respondent. No interest for the default period as per orders if any. The 2nd respondent is directed to deposit the said amount to the credit of the bank account of this claim tribunal directly by NEFT OR RTGS mode within a period of two months from this order, and intimate the said deposit details to this tribunal with a copy of the said Bank advise. Thereafter, the said amount shall be made directly to the credit of the Petitioner bank account.

(ii) In OP 2972/2021, the petitioner is entitled for a sum of **Rs.4,65,100/-** (Rupees four lakhs sixty five thousand hundred only) is awarded as just compensation to the Petitioner with cost and interest at the rate of 7.5 percent per annum from the date of filing of the Claim Petition i.e.,15.07.2021 till the realization, payable by the 2nd Respondent. No interest for the default period as per orders if any.

The 2nd respondent is directed to deposit the said amount to the credit of the bank account of this claim tribunal directly by NEFT OR RTGS mode within a period of two months from this order, and intimate the said deposit details to this tribunal with a copy of the said Bank advise. Thereafter, the said amount shall be made directly to the credit of the Petitioner bank account.

This Tribunal Account particulars:

Registrar (MACT), Court of Small Causes, Chennai

Account No. 7103261207

IFSC No. IDIB000M157

Indian Bank, Madras High Court Branch, Chennai.

E-mail ID. chnccc.sccrc-tn@indiancourts.nic.in

The Petitioner's Bank A/c, Aadhaar and Pan card details are given below: The Petitioner name is – Murugesan (In MCOP 2973/2021)

Bank name and Branch	Account No. and IFSC code	Adhaar card details	Pan card details
Indian Bank, Chengapattu Branch	Acc : 6179843068 IFSC : IDIB000T150	6291 7440 0242	Not Furnished

The Petitioner's Bank A/c, Aadhaar and Pan card details are given below: The Petitioner name is – Malliga (In MCOP 2972/2021)

Bank name and Branch	Account No. and IFSC code	Adhaar card details	Pan card details
Punjab National Bank, Armenian Street Branch	Acc : 0286200100041965 IFSC : PUNB0028620	5709 8579 7970	Not Furnished

In view of the direction issued by the Honourable Division Bench of the High Court of Madras in CMA No. 428/2016 dated 11.03.2016, the petitioner is hereby directed to furnish the self attested copy of Pan card to this Tribunal within a period of one month from to-day without fail. The petitioner has paid a sum of **Rs.372.50/-**

in both OP's towards Court fee. As per this award, the Court fee is Rs.322.50/- in OP 2973/2021, Rs.4,023.50/- in 2972/2021. The Advocate fee is fixed at Rs.4,375/- in OP 2973/2021, Rs.11,651/- in 2972/2021. The deficit court fee of Rs.3,651/- in OP 2972/2021 shall be paid by the petitioner within 2 weeks from the date of order. The Excess Court fee of Rs.50/- shall be refunded to the petitioner after the expiry of the appeal time.

Other necessary particulars in OP 2973/2021:

Date of Presentation of petition	15.07.2021
Date of taken up on file	20.07.2021
Compensation claimed in the M.C.O.P.	Rs.3,00,000/-
Compensation awarded in this petition	Rs.90,000/-
Court fee paid along with the petition	Rs.372.50/-
Court fee payable on the award amount	Rs.322.50/-
Excess court fee shall be refunded	Rs.50/-

Other necessary particulars in OP 2972/2021:

Date of Presentation of petition	15.07.2021
Date of taken up on file	20.07.2021
Compensation claimed in the M.C.O.P.	Rs.5,00,000/-
Compensation awarded in this petition	Rs.7,08,500/-Rs.4,65,100/-
Court fee paid along with the petition	Rs.372.50/-
Court fee payable on the award amount	Rs.4,023.50/-
Additional court fee shall be paid	Rs.3,651/-
Additional court fee paid, MPSR.No.....dated	

(Amended as per order dated 05.08.2026 in Memo SR 19077 dated 20.07.2026)

That the 2nd respondent do pay to the petitioner a sum of **Rs.4,742.50/-** in OP 2973/2021, **Rs.15,719.50/-** in 2972/2021 towards the costs of this petition.

Cost List for the petitioner
MCOP NO.2973/2021

<u>STATEMENT OF COSTS</u>							
<u>For the petitioners</u>					<u>For the Respondents</u>		
		<u>Rs.</u>		<u>P.</u>		<u>Rs.</u>	<u>P.</u>
Stamp on petition	-	322	.	50			
Stamp on Vakalat	-	5	.	00			
Stamp for process	-	40	.	00		-- not filed --	
Advocate fees		4,375	.	00			
Costs allowed	-	4,742	.	50			

Cost List for the petitioner

MCOP NO.2972/2021

<u>STATEMENT OF COSTS</u>							
<u>For the petitioners</u>					<u>For the Respondents</u>		
		<u>Rs.</u>		<u>P.</u>		<u>Rs.</u>	<u>P.</u>
Stamp on petition	-	4,023	.	50			
Stamp on Vakalat	-	5	.	00			
Stamp for process	-	40	.	00		-- not filed --	
Advocate fees		11,651	.	00			
Costs allowed	-	15,719	.	50			

The direction regarding copy of the Judgment and decretal order prepared under Sub rule 6 of Rule 20 of TNMAC Rules, 1989 and Hon'ble Madras High Court's communication in R.O.C.No.390-A/2014/F1 dated 13.02.2014 are obediently followed and further it is informed that, as per the direction of the Honourable High Court, as far as this claim Petition is concerned, Decree is not drafted separately and

in the award, instead of drafting the decree, necessary details have been incorporated in this claim Petition's order.

This order has been dictated by me to the typist, typed by him in the computer directly, corrected and pronounced by me in the open Court, on this Friday, the 3rd day of July 2026.

Motor Accident Claims Tribunal,

**IV Judge
Court of Small Causes
Chennai**

Petitioner's sides Witness:

P.W.1: Mr. Murugesan

P.W.2: Mrs.Malliga

Petitioner's side Exhibits:

Ex.P-1 : FIR Xerox

Ex.P-2 : OP Chit Government Chrompet Hospital

Ex.P-3 : AR Copy

Ex.P-4 : Parvathy Ortho Hospital Outpatient Records

Ex.P-5 : Medical Bills for Rs. 7,557/-

Ex.P-6 : Registration Book of Offending Vehicle

Ex.P-7 : Insurance Copy of Offending Vehicle

Ex.P-8 : Electrion EB Licence Certificate

Ex.P-9 : Aaadhar card xerox of PW1

Ex.P-10 : Bank passbook copy of PW1

Ex.P-11: AR copy

Ex.P-12: Rajiv Gandhi Hospital Discharge summary

Ex.P-13: Parvathy Ortho Hospital Discharge Summary

Ex.P-14: Medical Bills for Rs.60,003/-

Ex.P-15: Aadhar card xerox of PW2

Ex.P-16: Bank passbook copy of PW2

Respondents Side Witness :

R.W.1: S.Jawahar

Respondents side Exhibits:

Ex.R-1 :Letter given by the petitioner, Murugesan to 2nd respondent

Ex.R-2 : MVI Report of the petitioner's vehicle

Ex.R-3 : TPA Medical Bill of petitioner, Malliga

Ex.R-4 : Ration Card Category type

Ex.R-5 : Insurance Authorisation Letter

Court documents:

Ex.X1 : RTO Report

Ex.C1 : Disability Certificate issued by Medical Board.

**Motor Accident Claims Tribunal,
IV Judge
Court of Small Causes
Chennai**