

**MOTOR VEHICLE ACCIDENT CLAIMS TRIBUNAL,
CHENGALPATTU
ADDITIONAL DISTRICT COURT, CHENGALPATTU**
Present: Thiru.A.Saravanakumar, B.A., B.L.,
Additional District Judge,
Motor Accident Claims Tribunal Judge,
(Additional District Court, Chengalpattu)
Wednesday, the 1st day of April 2026
(Thiruvalluvarandu 2056 Visuvaasuvavarudum Panguni month 18th day)
MCOP.No. 96/2022
(CNR.No.TNCG01-003277-2022)

(a)	Name and address of the claimant/Petitioner (s)	<p>1.Malathi, W/o.late.Madhavaraj, aged 39 years.</p> <p>2.Minor.PozhilRajan, S/o.late.Madhavaraj, aged 14 years.</p> <p>3.Minor.Karigai,D/o.late.Madhavaraj, aged 8 years</p> <p>(Minor petitioners represented by her mother and natural guardian Malathi 1st petitioner)</p> <p>All are residing at No.204, Annai Theresa Street, Alapakkam Village, Chengalpattu Taluk & District.</p>
(b)	Name and address of the Respondents	<p>1.Rathnakumar S/o.Kothandan, Old No.88, New No.117/4, Small Street, Thimmavaram, Chengalpattu Taluk & District.</p> <p>2.Magma HDI General Insurance Co.Ltd., Development House, 24 Park Street, Kolkata – 700016</p> <p>Policy Servicing Office:</p> <p>Navin’s Presidium, 3rd Floor, N.M.Road, New No.17/19, Old No.103, “B” Block, 3A, Nelson Manickam Road, Chennai – 600029.</p> <p>(Policy number:P0021300059/4113/154241, Policy period: 15.02.2021 to 14.02.2026)</p>

		3.Nalayani, W/o,late.Ethiraj, aged 72 years residing at No.13, Ragavan Garden, AvvaiShanmugamSalai, Triplicane, Chennai-05.
(c)	Name and address of the Insurance Company	Magma HDI General Insurance Co.Ltd., Development House, 24 Park Street, Kolkata – 700016 Policy Servicing Office: Navin’s Presidium, 3 rd Floor, N.M.Road, New No.17/19, Old No.103, “B” Block, 3A, Nelson Manickam Road, Chennai – 600029.
(d)	Name and address of the Transport Corporation or such other respondents who are held liable to pay	-
(e)	Date of filing of the claim petition	25.7.2022
(f)	Date of award	01.04.2026
(g)	Amount of award	Rs.90,23,715/-
(h)	Interest rate applicable	7.5%perannum
(i)	Costs if any	Stamp on petition: Rs. 20.00 Stamp on Vakkalath: Rs. 10.00 Court fee : Rs. 71,610.00 Advocate Fee: <u>Rs. 97,237.00</u> <u>Rs. 1,68,877.00</u>
(k)	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	-

(l)	In cases where there are several claimants, the shares and amounts payable to each of them shall be specified.	The 1 st to 3 rd petitioners and 3 rd respondent are entitled to get a sum of Rs.22,55,928.75 @ Rs.22,55,929/- each and the award amount shall carry interest at the rate of 7.5% p.a. from the date of petition till the date of realization excluding the default period if any.
(m)	The mode and manner of deposit of compensation	The 2 nd respondent is directed to deposit the award amount in the bank account of this Claim Tribunal bearing A/c. No.42910183486 with State Bank of India, Main Branch, Chengalpattu, IFSC Code: SBIN0000824 through NIFT and RTGS Mode within two months.
(n)	The mode and manner of disbursement	-
(o)	Period of default to which the petitioner are not entitled for interest, if any.	NIL
(p)	Balance of court fee	The Petitioners are directed to pay Rs.71,610/- as balance of court fees viz., Rs.89,609.65 (-) Rs.18,000/- (court fee already paid) = Rs.71,609.65 @Rs.71,610/- The petitioners are directed to pay the deficit court fees

		<p>within 15 days from the date of award.</p> <p>The petitioners are entitled for the award only after the payment of balance court fee.</p>
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1.Malathi, W/o.late.Madhavaraj, aged 39 years.

2.Minor.PozhilRajan, S/o.late.Madhavaraj, aged 14 years.

3.Minor.Karigai,D/o.late.Madhavaraj, aged 8 years

(Minor petitioners represented by her mother and natural guardian Malathi 1st petitioner)

All are residing at No.204, Annai Theresa Street, Alapakkam Village, Chengalpattu Taluk & District.

...Petitioners.

..Vs..

1.Rathnakumar S/o.Kothandan, Old No.88, New No.117/4, Small Street, Thim-mavaram, Chengalpattu Taluk & District.

2.Magma HDI General Insurance Co.Ltd.,

Development House, 24 Park Street, Kolkata – 700016

Policy Servicing Office:

Navin's Presidium, 3rd Floor, N.M.Road, New No.17/19, Old No.103, "B" Block, 3A, Nelson Manickam Road, Chennai – 600029.

(Policy number:P0021300059/4113/154241,

Policy period: 15.02.2021 to 14.02.2026)

3.Nalayani, W/o,late.Ethiraj, aged 72 years residing at No.13, Ragavan Garden, Av-vaiShanmugamSalai, Triplicane, Chennai-05.

...Respondent.

The Court originally filed	In the Court Motor Accident Claims Tribunal, District Judge, Principal District Court, Chengalpattu as MCOP.No. 96/2022 and subsequently transferred to this court on 26.10.2022
Date of taken on file	25.7.2022
Date of Transfer to Additional District Court, Chengalpattu	26.10.2022

This petition came up for final hearing on 28.1.2026 before this court in the presence of M/s.J.Manuel and M.Somu, counsel for the petitioners and Mr.G.Umapathy, counsel for the 1st respondent and Mr.M.Venkatesan, counsel for the 2nd respondent and Mr.M.Rajalingam, counsel for the 3rd Respondent and upon perusing the written arguments filed by petitioner and 3rd respondent and upon hearing the arguments on both sides and upon perusing the material records and having stood over for consideration till this day, this court delivered the following:-

AWARD

This petition has been filed under section 140 and 166 of the Motor Vehicles Act of 1988 (Act IV Rules 3 of M.M.C.T.Rules, 1989) seeking compensation of Rs.93,00,000/-.

2. Petition in brief:

The petitioners submit that on 16.02.2022 the deceased Madhavaraj after finishing his work came back to the Chengalpattu Railway Station and took his Passion Pro bike bearing Registration number TN-21-K-7062 to reach home while proceeding towards Vallam Bridge, Thirukalukundram at about 8.30p.m. in the same direction, a Yamaha R15 bike bearing registration No. TN-19-AQ-5472 came from behind driven by its driver with a high speed and in negligent manner dashed from behind the

deceased Madhavaraj and due to impact, he fell down from bike and sustained grievous head injury and when he tried to get up and stand due to impact of the injuries sustained and in dizziness he fell down from the bridge. The nearby resident of 1st petitioner One ShyamSundar informed about the accident and by knowing the place of accident the 1st Petitioner immediately went and retrieved Madhavaraj and admitted him in Government Medical College Hospital, Chengalpatt through 108 Ambulance for treatment, there the doctors who examined Madhavaraj informed that he already died and postmortem was conducted at Government Medical College Hospital Chengalpattu.

The deceased Madhavaraj was aged 47 years and he was hale and healthy at the time of accident. He was employed as Assistant Revenue Officer, in Tamil Nadu Housing Board, Chennai and was getting a Monthly Salary of Rs.62,826/-. Out of that income, he has been maintaining the family. But for the accident he would be lived his full span of life and would be of much help to the Petitioners and to the 3rd respondent.

The petitioners who are the wife, minor Son & Daughter and 3rd respondent is mother of the deceased and that they have suffered severe mental agony shock on account of the sudden death of Madhavaraj. He was the sole bread winner of the family. The petitioner's entire future life has been completely spoiled. Hence the petitioners are entitled to claim compensation as against the respondents 1 & 2 and they moderately claim damages at Rs. 93,00,000/- The 3rd respondent is the mother of the deceased and she is not willing to apply with the petitioners and hence the mother of the deceased is

added as 3rd respondent in the application.

The 1st petitioner Malathi lodged complaint about this accident, a criminal case was registered against the 1st respondent in crime no. 101/2022 on the file of chengalpattu police station under sec 279, 304(A) of IPC. The accident was occurred only due to the rash and negligent driving of the 1st respondent who is the owner cum driver of the Yamaha R15 two wheeler and 2nd respondent is the insurer. Both are vicariously and statutorily liable to pay the compensation to the petitioners for the above said accident with cost and interest.

3. Counter filed by 1st Respondent in brief:

The 1st respondent on the date of accident had driven the Yamaha R15 Motor Vehicle bearing Registration number TN-19-AQ-5472, cautiously observing all the rules and regulation of the road traffic. There is no fault on the part of the 1st respondent. The deceased Madhavaraj drove his two wheeler in a rash and negligent manner and dashed the against the 1st respondent vehicle. The accident solely happened due to negligent of the deceased Madhavaraj who drove his vehicle without observing the rules and regulation of the motor vehicle Act. The deceased Madhavaraj alone had responsible to the accident and fatal casualty. The 1st respondent vehicle is insured with the 2nd respondent policy number POO21300059/4113/154241. Policy period 15.02.2021 to 14.02.2026 and as such the 2nd respondent is contractually liable to pay compensation, provided the petitioners satisfies the court for awarding compensation. The accident occurred due to negligent driving of the deceased Madhavaraj. Hence the petition may be dismissed with costs.

4. Counter filed by 2nd Respondent in brief:

The petition is not maintainable either on facts or in law. All the allegations made in the petition are denied, except those that are specifically admitted. Hence the petition is liable to be dismissed in limine with cost as against this respondent. At present this respondent is unable to admit whether the 1st respondent's vehicle bearing registration number TN-19-AQ-5472 was insured with this respondent at the material time unless further and better particulars regarding the insurance are disclosed by the claimant. The applicant may cause the owner of the vehicle to be directed to produce and prove the policy of the insurance, failing which it shall be presumed that this respondent is not insurer in the instant case and the name of this opponent should be expunged from the case with compensatory cost.

The person driving the vehicle has no relation in force as on the date of accident to drive the vehicle and he was not holding a valid and effective driving license at the time of accident and not qualified for holding such driving license and further has not satisfied the requirements of the Rule No.3 of the Central Motor Vehicle Rule, 1989. By handing over the vehicle to the said driver, the 1st respondent has violated the provisions of the Motor Vehicles Act and the rules framed there under and has committed the breach of the terms and conditions of the policy.

The driver of the vehicle was under the influence of alcohol at the time of accident, thereby violating the terms and condition of the policy.

As per Section 134(c) of the Motor Vehicles Act, 1989, it is the mandatory duty of the insured/1st respondent to furnish the particulars of the insurance policy, the date, time and place of the accident, details of the injured/deceased, and the name and driving licence particulars of the driver. But the insured/ 1st respondent has not complied with statutory demand.

The interest claimed by the petitioners is highly excessive and same is contrary to

Section 3 of Interest Act, 1978 and the observations of the various Judgment of the Hon'ble Apex Court. The petitioners are not entitled to claim any interest on non-pecuniary damages as per the observations of the judgment of Hon'ble Apex Cour.

The accident was occurred due to the negligent act of the deceased who was suddenly took right turn without any sign or signal in order to overtake the on going vehicle and hit against the first respondent's vehicle which was proceeding on right side of the same road and invited the accident. As a result of the said accident the deceased sustained grievous injuries and later succumbed to the said injuries and therefore, the above said claim petition is liable to be dismissed as the deceased was a tort feasor.

This respondent denies the allegation that the vehicle bearing number TN-19-AQ-5472 was involved in the above alleged accident and it was driven in a rash and negligent manner and this respondent is not aware that the deceased was aged about 47 years and earned Rs.62,826/- per month as Assitant Revenue Officer, Tamil Nadu Housing Board, Nandanam. The petitioners have to prove the same with proper documentary evidence regarding deceased age, income and employment.

The 2nd respondent seeks permission to take all defences available under section 170 of the Motor Vehicles Act, 1988, and to contest the claim on all grounds, apart from those specified under Section 149(2) of the Act. The compensation amount of Rs.93,00,000/- with interest and costs claimed by the petitioners is excessive, exorbitant, and exaggerated, and the petitioners are not entitled to such a claim from this respondent. In such circumstances, the petition is liable to be dismissed.

5. Counter filed by 3rd Respondent in brief:

The third respondent has perused the copy of the petition filed by the petitioners and she admits that the 1st petitioner is her daughter-in-law, and the 2nd and 3rd petitioners are her grand sons. Further states that the above petition is filed by the petition-

ers for grant of compensation as against the 1st and 2nd respondents, on account of the death her son Madhavaraj in a motor Vehicle accident occurred on 16.02.2022 to a claim of Rs.93,00,000/-. The 1st to 3rd petitioners and 3rd respondent's are only surviving legal heirs of the deceased.Hence the petitioners and this respondent are jointly entitled to claim compensation of Rs.93,00,000/- as against the 1st and 2nd respondents in above petition and they are legally liable to pay compensation to the petitioners and for this 3rd respondent also. Further states that she has no objection to conduct the case by the petitioners including her share in compensation. She is legally entitled for her share in the compensation award amount with interest.

6. **The point:**

Upon the perusal of the petition and the counter this tribunal has framed the following points for consideration:

1. Whether the death of the deceased Madhavaraj was caused due to the rash and negligent driving of the respondent's driver in a road accident occurred on 16.2.2022?
2. Whether the petitioners are entitled to claim compensation?
3. Whether the respondents are vicariously liable to pay the compensation?
4. What is the just compensation the petitioners are entitled to?

7. **Evidence Let in:**

On the side of petitioners, the 1st petitioner was examined as PW1, one Thiru.Shyamsundar, eye witness was examined as PW2 and Ex.P1 to Ex.P15 were marked. On the side of Respondents, no witnesses were examined and no documents were marked.

8. Answer to Point No.1:

The short question that arises for consideration in this petition is whether the petitioners are entitled to claim compensation of sum of Rs.93,00,000/- from the respondents. The epitome of the petitioners' case is that on 16.02.2022, the deceased Madhavaraj, after completing his work, returned to Chengalpattu Railway Station and proceeded towards his residence on his two-wheeler namely passion Pro bike bearing registration number TN-21-K-7062. While he was riding towards Vallam Bridge, Thirukalukundram at about 8:30 p.m. a Yamaha R15 motorcycle bearing registration number TN-19-AQ-5472, driven by its driver in a rash and negligent manner and dashed against deceased. Due to the forceful impact, the deceased was thrown off his motorcycle and sustained grievous head injuries. It is further observed that when the deceased attempted to stand up, being in a state of dizziness caused by the injuries, he lost balance and fell down from the bridge and immediately he was taken to the Government Medical College Hospital, Chengalpattu, through a 108 Ambulance. However, the doctors who examined him declared that he had already died. Subsequently, a postmortem examination was conducted at the said hospital. From the materials placed on record, it is evident that the accident occurred solely due to the rash and negligent driving of the 1st respondent who is the owner cum rider of the vehicle.

9. The 1st respondent filed a detailed counter wherein he contended that on the

date of accident he had driven the Yamaha R15 Motor Vehicle bearing Registration number TN-19-AQ-5472 by cautiously observing all the rules and regulation of the road traffic. He further contended that the deceased Madhavaraj drove his two wheeler in a rash and negligent manner and dashed the against the 1st respondent vehicle. The accident solely happened due to negligent of the deceased Madhavaraj. Moreover, it is also submitted that the manner of accident set up by the petitioners is also false.

10. The 2nd respondent also filed his counter by contending that the 1st respondent vehicle was not insured with this respondent and was not having a valid and effective driving license at the time of accident and he was also under the influence of alcohol at the time of accident. It is his case that the accident was occurred due to the negligent act of the deceased who was suddenly took right turn without any sign or signal in order to overtake the on going vehicle and hit against the first respondent's vehicle which was proceeding on right side of the same road and invited the accident. As a result of the said accident the deceased sustained grievous injuries and later succumbed to the said injuries. It is his case that the said accident was only due to rash and negligent driving of the deceased.

11. In order to prove their case, the petitioners have examined the 1st petitioner Malathi as PW1 and also examined one Shyamsundar as PW2 besides that they have produced Ex.P1 to Ex.P15. A perusal of the PW1 evidence would go to show that she is a hearsay witness. Therefore, her evidence cannot be looked into for the purpose of proving the accident. Whereas, PW2 Shyamsundar in his evidence has clearly stated

that the occurred was taken 16.2.2022, the deceased Madhavaraj after completing his work, returned to Chengalpattu Railway Station and proceeded towards his residence on his two-wheeler namely passion Pro bike bearing registration number TN-21-K-7062. While he was riding towards Vallam Bridge, Thirukalukundram at about 8:30 p.m. a Yamaha R15 motorcycle bearing registration number TN-19-AQ-5472, driven by its driver in a rash and negligent manner and dashed against deceased. Immediately, he informed to his wife the 1st petitioner. She rushed to the spot and immediately arranged to shift the injured Madhavaraj to the Government Medical College Hospital, Chengalpattu, through a 108 Ambulance. But he died on the way to hospital. The accident was solely occurred due to the rash and negligent driving of the 1st respondent.

12. Moreover, Ex.P1 is the FIR, registered in crime number 101/2022 wherein the manner of occurrence has been clearly stated and the 1st respondent was shown as accused. In Ex.P2 postmortem certificate, wherein the doctor was of the opinion that the deceased would appear to have died of shock due to effects of multiple injuries sustained. Ex.P3 is the death certificate wherein the date of the death of the deceased has been clearly mentioned. These documents would also completely corroborate the evidence of PW2. The respondent while cross examining PW2 suggested that he did not see the occurrence and the same was denied. He has clearly deposed he saw the occurrence and it is the 1st respondent's two wheeler which caused the accident.

13. Though the 1st and 2nd respondents stated that the accident has happened due

to the negligent of the deceased no proof is produced in this regard. Therefore, this tribunal is inclined to reject the defense of the respondents.

14. Keeping the above oral and documentary proofs, this tribunal comes to the conclusion that the alleged accident took place only due to the rash and negligent driving of the 1st respondent.

15. Answer to the point No.2:

While answering to the 1st point, it is held that the deceased Madhavaraj was died due to accident. Ex.P4 is the legal heirs certificate of the deceased Madhavaraj. From Ex.P4, it is clear that the petitioners and 3rd respondent are his legal heirs. Ex.P10 to Ex.P13 are Aadhar card of the petitioners and 3rd respondents. Since, the 3rd respondent is the mother of the deceased, she is also entitled to claim compensation. They have stated that they dependent on the income of the deceased at the time of accident. Therefore, the petitioners and 3rd respondent being legal heirs and dependent are entitled to claim compensation.

16. Answer to the point No.3:

While answering to the first point, it is concluded that the accident was happened due to the rash and negligent driving of the 1st respondent who is the owner cum rider. Therefore, the 1st respondent was vicariously liable to pay compensation. Therefore, the 2nd respondent, being an insurer is liable to indemnify the loss caused to the petitioners. The 2nd respondent has not placed

any evidence in this regard. While so, this tribunal holds that the 1st and 2nd respondents are jointly and severally liable to pay compensation. So far as the 3rd is concerned, she is the mother of deceased Madhavaraj. Hence, no liability can be fixed as against 3rd respondent. Accordingly, 3rd point is answered.

17. Answer to the Point No.4

Now this court has to decide what is the just compensation the petitioners are entitled to? As stated supra, the petitioners have claimed a compensation of Rs.93,00,000/- from the respondent. While so, it is the duty of the tribunal to fix a just a compensation to the victims. In this context the Hon'ble Supreme Court in the case of State of **Haryana . . V s . . Kaur**(AIR 2003 SC 3696) has held that the compensation must be just and it cannot be bonanza ; nor a source of profit; but the same should not be a pittance. Though the use of the expression ' which appears to be just' a wide discretion is vested on the tribunal, the determination has to be rational, to be done by a judicious approach and not the outcome of whims, wild guesses and arbitrariness. Keeping in view of the above observations, this court attempts to arrive at just compensation.

18. As per the case of the petitioners, the age of the deceased Madhavaraj was 47 years old. In order to prove the age of the deceased the petitioners have produced Ex.P6 is the Xerox copy of driving licence. A perusal of Ex.P6 would reveal that the date of birth of the deceased Madhavaraj was on 10.4.1974. As per Ex.P1 FIR the occurrence took place on 17.2.2022. Therefore, this tribunal holds

that the deceased was about 47 completed years at the time of accident.

19. As per the petitioners case, the deceased was earning a sum of Rs.62,826/- and was working as a Assistant Revenue Officer in Tamilnadu Housing Board. In order to prove the salary of the deceased, the petitioners have marked Ex.P5 salary receipt. As per Ex.P5, the deceased was getting a monthly income of Rs.62,826/-. Therefore, this tribunal has fixed the monthly income of the deceased as Rs.62,826/-.

20. In this connection the Hon'ble Supreme Court in the case of **National Insurance Company Limited, /Vs/ Pranaysethi and others** 2017 (2 TN MAC 609 (SC)) ruled that while commutating compensation income shall also include amount for future prospects. The deceased was aged about 47 years and salaried person and 30% of his income Rs.18,847.80 is to be added towards future prospects. Therefore, his monthly income including future prospects will be of Rs.81,673.80 and the annual income will be of Rs.9,80,085.60 @ Rs.9,80,086/-. It is well established principle of law that income means minus tax. Once the income tax slab for the year 2022 is taken to consideration, upto Rs.2,50,000/- there is a complete tax exemption. From Rs.2,50,000/- to Rs.5,00,000/-, 5% tax is to be paid. From Rs.5,00,001/- to Rs.7,50,000/- 10% tax is to be paid and Rs.7,50,001 to Rs.10,00,000/- 15% is to be paid. Therefore, Rs.12,500/- + Rs.25,000/- + Rs.2,30,086/- (Rs. 9,80,086 – Rs. 7,50,000) = Rs. 34,512.90 @ Rs. 34,513/- Thus, the total income tax payable is Rs. 12,500/- + Rs. 25,000/- + Rs. 34,513/- = Rs.72,013/-. The annual net income after deducting income tax will be of Rs.9,80,086/-. (-)Rs.72,013/- = Rs.9,08,073/-.

21. Considering his age of 47 years the proper multiplier is 13.

22. As held in **Sarlaverma and others /Vs/ Delhi Transport Corporation and another** (2009 (2) TN MAC 1 (SC), the deceased had 4 dependents and 1/4 of his income is to be deducted towards living and personal expenses. Once the 1/4 amount at the rate of Rs.2,27,018.25 @ Rs.2,27,018/- (Rs.9,08,073/-divided by 4) is deducted the annual net salary will be of Rs.9,08,073/-- Rs.2,27,018/- = Rs.6,81,055/- Thus the compensation amount arrived at towards loss of income or dependency Rs.6,81,055/- x 13= Rs.88,53,715/-.

23. The petitioners have claimed a sum of Rs.5,000/- towards transport charges. There is no evidence produced for such an amount. However having regard to the facts and circumstances of the case a sum of Rs.5,000/- was awarded as transport charges.

24. Moreover, in **National Insurance Company Limited Versus Pranay Sethi & Others**, (stated supra) Paragraph 61- (Viii) reads;

“ 61. In view of the aforesaid analysis, we proceed to record our conclusions:-

(viii) Reasonable figures on conventional heads, namely, loss of estate, loss of consortium and funeral expenses should be Rs.15,000/-, Rs.40,000/- and Rs. 15,000/- respectively. The aforesaid amounts should be enhanced at the rate of 10% in every three years.”

25. Keeping in view of the same, the petitioners are entitled to loss of

Consortium of Rs.44,000/- x 3 = Rs.1,32,000/-. They are also entitled for Funeral expenses of Rs.16,500/-. They are also entitled to Rs.16,500/- as Loss of Estate.

26. Apportionment of Compensation: In nutshell, details of the compensation awarded as follows:

(i) Loss of Income	:	Rs.88,53,715/-.
(ii) Lost of Consortium	:	Rs.1,32,000/-.
(iii) Funeral expenses	:	Rs. 16,500/-.
(iv) Loss of Estate	:	Rs. 16,500/-.
(v) Transporting charges		Rs. 5,000/-
Total	:	Rs.90,23,715/-

27. In view of the above said finding this tribunal finds that the claimants are entitled to get Rs.90,23,715/- by way of compensation. Accordingly the 4th point is answered.

28. In the result,

- (i) The petition is partly allowed. However
- (ii) The 2nd respondents is liable to pay compensation of Rs.90,23,715/- to the petitioners and 3rd respondent.
- (iii) The 1st to 3rd petitioners and 3rd respondent are entitled to get a sum of Rs.22,55,928.75 @ Rs.22,55,929/- each and the award amount shall carry interest at the rate of 7.5% p.a. from the date of petition till the date of realization

excluding the default period if any.

(iv) The 2nd respondent is directed to deposit the award amount in the bank account of this Claim Tribunal bearing A/c. No.42910183486 with State Bank of India, Main Branch, Chengalpattu, IFSC Code: SBIN0000824 through NIFT and RTGS Mode within two months.

(v) Since the 2nd and 3rd petitioners are minors, their award amount shall be deposited in any one of the nationalized banks till they attain majority and the interest accrued shall be utilized by the 1st petitioner for their education and other purposes.

(vi) The Petitioners are directed to pay Rs.71,610/- as balance of court fees viz., Rs.89,609.65 (-) Rs.18,000/- (court fee already paid) = Rs.71,609.65 @Rs.71,610/- The petitioners are directed to pay the deficit court fees within 15 days from the date of award. The petitioners are entitled for the award only after the payment of balance court fee.

(vii) The Advocate fee is fixed at Rs.97,237.15 @ Rs.97,237/- as per rules.

Directly Dictated by me to the stenographer, computerized by her, corrected and pronounced by me in open court, this the 1st day of April 2026.

**MOTOR ACCIDENT CLAIMS,
TRIBUNAL JUDGE,
ADDITIONAL DISTRICT COURT
CHENGALPATTU**

List of Witnesses Petitioners' Side:

1. PW1 -Mrs.Malathi(1st petitioner)
2. PW2 – Mr.Shyamsundar, (3rd party)

List of Exhibits marked on petitioner's side:

1. Ex.P1 –17.2.2022 – Xerox copy of FIR registered in crime no.101/2022 by Chennagalpattu Taluk police station as against the driver of the 1strespondent's vehicle.
- 2.Ex.P2 – 17.2.2022 – True copy of the postmortem certificate of the deceased Madhavaraj.
- 3.Ex.P3 – 22.2.2022 – Xerox copy of the death certificate of the deceased Madhavaraj.
- 4.Ex.P4 – 8.3.2022 – Online copy of the legal heir certificate of the deceased Madhavaraj.
- 5.Ex.P5 -.. – Pay slip for the month of November 2021(Original)
- 6.Ex.P6 - .. – Xerox copies of driving license of the deceased Madhavaraj
- 7.Ex.P7 – .. – Xerox copy of the registration certificate of the 1st respondent's vehicle.
- 8.Ex.P8 - .. – Xerox copy of the insurance policy for the 1st respondent's vehicle
- 9.Ex.P9 - .. – Xerox copy of the driving license of the 1st respondent.
- 10.Ex.P10 - .. – Xerox copy of the Aadhar card of the 1st petitioner
- 11.Ex.P11 - .. - Xerox copy of the Aadhar card of the 2nd petitioner

12.Ex.P12 - .. - Xerox copy of the Aadhar card of the 3rd petitioner

13.Ex.P13 - .. - Xerox copy of the Aadhar card of the 3rd respondent

14.Ex.P14 - .. - Xerox copy of the 1st page of bank pass book of the 1st petitioner.

15.Ex.P15 - .. Xerox copy of the Aadhar card of the Shyamsundar

List of Witnesses Respondent's Side: Nil

List of Exhibits marked on Respondent's side: Nil

MOTOR ACCIDENT CLAIMS,
TRIBUNAL JUDGE,
ADDITIONAL DISTRICT COURT
CHENGALPATTU

**Fair/DraftOrder
MCOP.No.96/2022
D.D.01.04.2026
MACTC/CPT**