



**BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL/
CHIEF JUDICIAL MAGISTRATE, CHENGALPATTU**
Present: Thiru.N.Sultan Aribeen, B.Sc., M.A., LL.M., Dip in JJ & JP.,

Chief Judicial Magistrate, Chengalpattu

Friday, the 31st day of July 2026

திருவள்ளூர் ஆண்டு 2057, புதி பராபவ வருடம் ஆடி மாதம் 15 ஆம் நாள்

M.C.O.P.No.47/2019
(CNR.No.TNCG06-006663-2019)
&
M.C.O.P.No.48/2019
(CNR.No.TNCG06-006686-2019)

Chandira, aged about 27 years,
W/o.Thiruvengadam,
Residing at No.11,
Mavaligamman Kovil Street,
Mullikulathur Village,
Thirukazhukundram Taluk,
Kancheepuram District.

... Petitioner (in MCOP No.47/2019)

Minor. Lakshmipriya, aged about 3 years,
D/o.Thiruvengadam,
(Represented by her Natural Guardian
and Mother Chandira W/o.Thiruvengadam)
Residing at No.11,
Mavaligamman Kovil Street,
Mullikulathur Village,
Thirukazhukundram Taluk,
Kancheepuram District.

... Petitioner (in MCOP No.48/2019)

/Vs/

1. Premkumar,
S/o.Yuvaraj,
Residing at No.39, Pudumettu Street,
Thirukazhukundram Town and Taluk,
Kancheepuram District.
Pin Code: 603 109.



2. Navaneetham,
W/o. Yuvaraj,
No.39, Puthumettu Street,
Thirukazhukundram Town and Taluk,
Kancheepuram District.
Pin Code: 603 109.

3. The New India Assurance Co. Ltd,
Velachery D.O. (712700)
C.M.Complex, II Floor,
No.1, 7th Main Road, Tansi Nagar,
Velachery - Taramani Link Road,
Velachery, Tamil Nadu 600 042.

... Respondents

These Claim original petitions are taken on file on 22.04.2019 and coming up before me for final hearing on 03.06.2026 in the presence of Mr.V.Thirunavukkarasu and Ms.V.Ilakkiya, Counsels for the Petitioner and M/s.K.Varadharajan, S.Sarma, and V.Baby, Counsels for 1st and 2nd Respondents and Mr.E.Vijayan, Counsel for 3rd Respondent and after hearing the arguments on both sides, and carefully perusing the case records, having stood over for consideration till this date, this Tribunal delivers the following common . . .

ORDER

These petitions filed under Section 166 of Motor Vehicles Act 1988, and Rule 3 of M.A.C.T., Rules for granting relief of compensation of Rs.20,00,000/- (Rupees Twenty Lakhs only) in favour of the petitioner in MCOP No.47/2019 and Rs.20,00,000/- (Rupees Twenty Five Lakhs only) in favour of the petitioner in MCOP



No.48/2019 in respect of injuries sustained by the petitioners Chandira and her Minor daughter Lakshmipriya on the road accident on 21.12.2018 against 1st and 2nd respondents as driver and the owner of the Vehicle Pulser 220 CC Two wheeler respectively and 3rd respondent Insurer of the Two Wheeler.

Facts of the Claim

S.No.	Particulars	Details MCOP No.47/2019	Details MCOP No.48/2019
1.	Claim for	GREIVOUS INJURY	GREIVOUS INJURY
2.	Date of Accident	21.12.2018	21.12.2018
3.	Age of the injured	27 years	3 years
4.	Occupation	Agricultural Labour	Does not arise
5.	Monthly Income	Rs.20,000/-	Does not arise
6.	Compensation Claimed	Rs.20,00,000/-	Rs.20,00,000/- (Restricted)

2. Gist of the Petitions:-

On 21.12.2018 the Petitioner in MCOP No.47/2019/mother of the Petitioner in MCOP No.48/2019 gone to Palvadi School at Mullikulathur along with her 3 years old daughter/petitioner in MCOP No.48/2019 riding PY 01 BK 1789 Scooty in order to bring her 4 ½ years old daughter Monishree from Palvadi School. After getting Monishree, she proceeded towards her house at Mullikulathur Village along with her daughters Monishree and Lakshmi Priya as pillion riders towards Thirukazhukundram at Kalpakkam to Thirukazhukundram Road. After reaching her house at Mullikulathur at Kalpakkam Thirukazhukundram Road the petitioner



Chandira stopped her Vehicle at extreme left corner of the Road at about 3.00 p.m. At that time a Vehicle bearing Registration No.TN 19 AX 1524 Pulser 220 CC driven by the 1st Respondent in a rash and negligent manner with High Speed dashed on the back side of the petitioner's vehicle. The Petitioner Chandira and her two daughters Monishree and Lakshmipriya were thrown out of the Vehicle and fell on the Road. Due the Accident the Petitioner Chandira got Greivous injuries on Head, Chest, Abdomen, Chest Compression, Pelvic Compression, Pelvic Dislocate, Laceration of the Eyes, Nerve Damaged in the left eye Lid, Nerve Damaged in the brain, Laceration of Thumb, Multiple Abrasion Over the Face, Abrasion Over Chest, Abrasion Over Leg and Feet, Abrasion Over Dorsum of Hand, Abrasion Over Knee, Fracture on Right Shoulder and Left Centre Shoulder and her daughter Lakshmi Priya (Petitioner in MCOP No.48/2019) caused Ear Bleeding, head Injury, Head Temporal bone fracture, Intubated, Pneumocephalus, Seizures/Epilepsy and CSF Rhionrhea. Immediately, they were admitted in Government Hospital at Chengalpattu, thereafter transferred to Rajiv Gandhi Government Hospital at Chennai for further treatment. The 1st and 2nd respondents are driver and owner of the vehicle, and the 3rd respondent is the insurance company are vicariously and statutorrily liable to pay the compensation amount to the petitioners. Hence, these petitions.

3. **Crux of the 1st Respondent's counter and Adopted by 2nd**

Respondent:-



The respondent denies all the allegations in the petition. The 1st respondent submitted that the Bajaj Pulsar 220 CC bearing Registration No.TN-19-AX-1524 belonging to 2nd respondent is involved in the accident on 21.12.2018 and the vehicle is insured with the 3rd respondent under policy number 71270031180800006055 valid from 15.09.2018 to 14.09.2019 as such the 3rd respondent is liable to indemnify the 1st and 2nd respondents. So, the 3rd respondent is liable to pay the compensation to the petitioner. Hence, prays to dismiss the petition with costs.

4. **Crux of the 3rd Respondent's Counter:-**

The respondent denies all the allegations in the petition. The respondent submitted that the rider of the 2nd respondent vehicle is not having a valid and effective driving License on the date of accident. Further this respondent vehicle PULSER 220 CC bearing registration No.TN-19-AX-1524 is not having a valid R.C. & F.C. on the date of accident. The 2nd respondent vehicle Pulser 220 CC bearing Registration No.TN 19 AX 1524 was not insured with them on the date of accident. Hence, this respondent is not liable to pay the compensation to the petitioner. Accordingly, prays for dismissal against this respondent with costs.

5. **The points for consideration:-**

To decide the case, the points to be considered are:-

1. Whether the accident took place due to the rash and negligent driving of



the driver of the 1st respondent's vehicle bearing Reg.No. TN-19-AX-1524 Pulsar 220 CC?

2. Whether the petitioners are entitled for compensation? If so, whether 1st respondent driver, 2nd respondent owner of the vehicle or the Insurance company 3rd respondent is liable to pay compensation to the petitioners?
3. What is the compensation amount payable to the petitioners?

6. To substantiate the case of the peitioners, common evidence was recorded and the petitioner Chandira examined herself as PW1 and marked Ex.P1 to Ex.P14 (on perusal records it is found that no document marked as Ex.P11, the exhibit number was wrongly mentioned) and Ex.C1, Ex.C2. On the side of respondents Mr.Murali, Motor Vehicle Inspector and Mrs.Vijayalakshmi, were examined as RW1, RW2 and Marked Ex.R1 to Ex.R3, and after completion of respondents side evidence, heard both sides.

7. **Answer to Point No.1:-**

Heard both the sides and perused case records. The learned counsel for the Petitioner in both petitions submitted in his arguments that the Petitioners in the both the petitions are mother and daughter, sustained grievous injuries at 3.00 P.M. on 21.12.2018 was due to the rash and negligent driving of the Two wheeler Pulser 220 CC bearing Regn No. TN 19 AX 1524, while the petitioner has stopped her vehicle outside the house at Kalpakkam to Thirukazhukundram Road, hence, prays that the



petitioners ordered to be entitled for compensation for the grievous injuries caused to petitioners Chandira and her daughter Minor.Lakshmipriya.

8. The learned counsel for the Respondents in their arguments, submitted that the accident was caused only due to the negligence of the petitioner Chandira, while she was suddenly stopped the vehicle without minding the vehicles coming in the same direction, and submitted that at the time of accident the petitioner was not possessed valid driving licence and Registration Certificate for her vehicle. Hence, prays for dismissal against the Respondents.

9. Both side arguments and evidences were carefully considered. While considering the evidence of the petitioner/PW1 coupled with the Medical records Ex.P4 - Discharge summary of Ms.Chandira, it is found that the petitioner Chandira had sustained injury over Both Leg clavicular fracture middle 1/3 and injuries all over the body as stated in the Ex.P4 medical records. Further in Ex.C1 it is mentioned that due to the above injuries the petitioner Chandira had sustained 6 % disability. Ex.P5 - Discharge summary of Minor.Lakshmipriya, Ex.P10, Ex.P12, Ex.P14 Medical records, it is found that the petitioner Minor.Lakshmipriya had sustained right temporal bone fracture, ear bleeding, Rhinorrhea, Brain temporal bone fracture, Pneumocephalus, etc., injuries over the body as stated in the medical records. Further in Ex.C2 it is mentioned that due to the above injuries the petitioner Minor.Lakshmipriya had sustained 54 % disability.



10. Based on the aforesaid oral and documentary evidences, it has been concluded that the petitioners Chandira and Minor.Lakshmipriya were injuries Grevious injuries all over the body, and they underwent treatment at Rajiv Gandhi Government Hospital, Chennai. However, the point to be decided is whether the grevious injuries as claimed are due to the accident occurred at 03.00 P.M. on 21.12.2018 at Kalpakkam to Thirukazhukundram Road, while the petitioner was stopped her two wheeler infront of her house, along with her two daughters Monishree and Lakshmi Priya as pillion rider, at extreme left corner of the Road, the 1st respondent drove the Two Wheeler TN 19 AX 1524 Pulsar 220 CC in a rash and negligent manner with High Speed dashed on the back side of the petitioner's Vehicle and caused the accident? On examination, no eye witnesses or other witnesses to the said accident on the side of the petitioner had been produced, except the Petitioner's own evidence and RW1 and RW2's evidences.

11. The petitioner examined herself as PW1 deposed about the manner of the accident as alleged in the Petitions. It is also the case of the Petitioner is that accident was occurred solely due to the rash and negligent driving of the Two Wheeler belongs to the 1st Respondent and the same was insured by the 3rd respondent, hence claimed compensation. PW1 was cross-examined in detail. In the cross-examination, the manner of the accident alleged by the petitioner was not seriously disputed by the



Respondents, at the same time the suggestion of the respondents is that the accident was occurred only due to the negligence of the petitioner.

12. On careful perusal of Ex.P1 FIR dated 21.12.2018, it is evident that the case has been registered against the driver of the 2nd respondent's vehicle bearing TN-19-AX-1524 under Section 279, 337 IPC in Cr.No.789/2018 on the file of Thirukazhukundram Police Station. As against the contents of Ex.P1 - FIR, the respondents have not placed any contra evidence, at the same time respondents side admitted the accident. Therefore, this Court comes to the conclusion that the petitioner has proved her case through the evidence of PW1 and Ex.P1 - FIR that the accident took place due to the rash and negligent driving of the 2nd Respondent's Driver. This point is answered accordingly.

13. **Point No.2:-**

From Ex.P3 the copy of insurance policy of the 2nd respondent's Two wheeler, it is evident that the 2nd Respondent's vehicle is duly insured with the 3rd Respondent on the date of accident for the period from 15.09.2018 04.32.25 PM to 14.09.2023 11.59.59 p.m and the policy number is 71270031180800006055. The date of accident in the present case is on 21.12.2018 which is within the period of insurance. Accordingly the petitioners are entitled to compensation and the 3rd respondent/the insurance company shall pay the compensation to the petitioners/claimants. Accordingly this point is answered.



14. **Point No.3:-**

Ex.P4 Discharge Summary issued by Rajiv Gandhi Government Hospital, Chennai is evident that the petitioner in MCOP No.47/2019 Mrs.Chandira was admitted on 21.12.2018 and discharged on 14.01.2019. The petitioner had sustained Head injury, Chest and Abdomen Injury, Chest Compression, Pelvic Compression, Pelvic Dislocate, Laceration of the Eyes, Nerve Damaged in the Left Eye Lid, Nerve Damaged in the brain, Laceration of Thumb, Multiple Abrasion Over the Face, Abrasion over Chest, Abrasion Over Leg and Feet, Abrasion Over Dorsum of Hand, Abrasion Over knee, Fracture on Right Shoulder and Left Centre Shoulder. As per Ex.C1 - Disability certificate the petitioner has been assessed with disability of 6%. It is certified that, **"Her disability is Locomotor disability due to Post Traumatic Sequale and her percentage is 6% only (Six Pcentage only) As per PMR Assessment and it is Temporary"**. With regard to the Minor.Lakshmipriya, as per Ex.C2 - Disability certificate, she has been assessed with disability of 54%. It is certified that, **"Her disability is Psychomotor due to Road Traffic Accident and her percentage is 54% (Fifty four only)"**.

15. The petitioner Mrs.Chandira stated that due to the injuries the petitioner could not able to sit or stand longtime and unable to lift weights, not able to do any work as before. It is the case of the petitioner Chandira that at the time of accident the petitioner was Agricultrual Labour earning Rs.20,000/- per month. But she had failed



to support any valid documentary evidence for the same. It is the settled principle of law that when the petitioner has failed to prove her occupation and income, a notional income alone has to be fixed. In Syed Sadiq and others Vs Divisional Manager, United India Insurance Co. Ltd., reported in 2014 ACJ page 627 the Honourable Apex Court has held as follows:-

“On the other hand going by the present state of economy and the rising prices in agricultural products, we are inclined to believe that a vegetable vendor is reasonably capable of earning Rs.6,500/- per month”.

16. By relying the above Judgment of the Hon'ble Supreme Court, the Hon'ble High Court of Madras has held in **Royal Sundaram Alliance Insurance Co. Ltd. Vs Vasanthathapurani and others 2017(1) TN MAC 574**, as follows:-

"The Hon'ble Supreme Court in Syed Sadiq v. Divisional Manager, United India Insurance Co. Ltd., 2014 (1) TN MAC 459 (SC), determined the Monthly Income at Rs.6,500 (Rupees Six Thousand and Five Hundred Only) per month for a vegetable vendor, who sustained injury in the accident occurred on 14.7.2008, Whereas, in the case on hand, the accident occurred on 13.7.2010 and this Court is inclined to follow the Monthly Income at Rs.6,500 (Rupees Six Thousand and Five Hundred only) even in the absence of any positive evidence regarding income."



In the light of the above decisions and the evidence of PW1, the income of the petitioner is fixed at Rs.6,500/- per month. Due to the accident, she had taken treatment and would have taken rest for a period of 3 months. Due to this she would have incurred loss of income for which this Tribunal awards a sum of Rs.19,500/- (Rs.6,500 x 3 months) towards partial loss of income and Rs.5,000/- towards attender charges to the Petitioner Chandira in MCOP No.47/2019. With regard to the petitioner Minor.Lakshmipriya no Disability certificate produced and there is no income loss to the minor, since is only 3 years of age at the time of accident, accordingly she is not entitled for any amount towards partial loss of income, but she is entitled for Rs.10,000/- towards attender charges.

17. With regard to the head partial permanent Disability head, in a judgment in ***M.Revanth Kumar Vs. 1. M/s.Sun-X-Concrete India Private Limited, Chennai – 600 045. 2. The United India Insurance Company Ltd., Chennai – 600 006 on 10.01.2025, (CMA.No.13 of 2025) the Hon’ble High Court of Madras*** has held as hereunder:-

“7. The factum and manner of the accident is not disputed by the parties. Therefore, this Court is not entering into the said aspect. The major grievance of the Appellant/claimant is with regard to the quantum of compensation awarded by the Tribunal. It is claimed by the appellant that, the accident is of the year 2022, however, the Tribunal had erroneously



taken only a sum of Rs.5,000/- per percentage of disability. In this regard, this Court perused Ex.C.1, which is the disability certificate issued by the Medical Board and the same reveals that the appellant suffered disability of 15% and by erroneously adopting a sum of Rs.5,000/- per percentage of disability, the tribunal awarded a sum of Rs.75,000/-. However, as per the existing law at the relevant point of time, the Tribunal ought to have fixed a sum of Rs.10,000/- per percentage of disability. Hence, the amount under the head Disability stands enhanced to a sum of Rs.1,50,000/- (15% x Rs.10,000/- = Rs.1,50,000/-).”

18. On a careful consideration of the evidence adduced by PW1 and Medical Reports marked through her, it reveals that because of the accident the petitioner Chandira had sustained grievous injury and her disability is assessed at 6% in the Ex.C1 - Disability Certificate, with regard to Minor.Lakshmipriya, her disability is assessed at 54% in the Ex.C2 - Disability Certificate. Accordingly as per the guidelines laid down by the Hon'ble High Court, Madras in the above citation, this Tribunal fixed a sum of Rs.10,000/- for percentage of disability. Hence, 6 % disability = 6 X Rs.10,000 = Rs.60,000/- and 54 % disability = 54 X Rs.10,000/- = Rs.5,40,000/-. Accordingly, the petitioner Mrs. Chandra is awarded a sum of Rs.60,000/- and the Minor.Lakshmipriya is awarded a sum of Rs.5,40,000/- under the head partial disability.



19. **Expenses connected to Hospitalization Charges, Treatments and**

Medicines:-

While scrutinizing this, the petitioner Mrs.Chandira and Minor.Lakshmipriya were claimed a compensation towards medical treatment and medicines at Rs.2,00,000/- each, but have not produced any relevant receipts for the same. Since, they have taken treatment at Government Hospital, they have not spent any amount for Medical treatment. Based on the above, this tribunal concluded that the Petitioners are not entitled to receive any compensation towards the treatment and medicines.

20. **Computation of compensation: -**

The total compensation is assessed as under:-

Sl.No.	Head	Award (In Rs.) for MCOP No.47/2019	Award (In Rs.) for MCOP No.48/2019
1	Transport to hospital	3,000	3,000
2	Extra Nourishment	10,000	10,000
3	Pain and sufferings	50,000	25,000
4	Permanent Disability (Rs.10000/-x6%)	60,000	5,40,000
5	Attender charges	5,000	10,000
6	Damages to cloths and articles	3,000	1,000
7	Loss of Income (Rs.6500x3)	19,500	-
	Total	1,50,500	5,89,000
	Rounded to	1,50,500	5,89,000



21. **Mode of Disbursement:-**

a) Insofar as the mode of disbursement of compensation is concerned, it is brought to the notice of this Tribunal that the Hon'ble Supreme Court in **Parminder Singh v. Honey Goyal & Ors., 2025 INSC 361 : 2025 LiveLaw (SC) 318**, has held that the compensation amount shall be directly transferred to the bank account of the claimant, without requiring deposit before the Tribunal, the same was also reiterated by the Hon'ble Madras High Court in **CMA No.2064/2026 - The Manager, The Oriental Insurance Co. Ltd., Chennai Vs. D.Salsa and 4 others**. In the present case, the petitioners have already furnished their bank account particulars before this Tribunal, of which the 3rd Respondent has due notice.

(b) This Tribunal is of the view that insisting upon payment of deficit court fee by the petitioner as a condition precedent for receipt of the compensation may result in avoidable delay in disbursement and consequential accrual of interest. Since the petition is being allowed with costs, and the liability towards court fee is ultimately to be borne by the 3rd Respondent, it is just and proper to direct the 3rd Respondent to pay the deficit court fee separately, preferably by way of e-court fee, if any. After deducting such court fee, the balance compensation amount, together with costs, shall be directly transferred to the petitioner's bank account and intimation of such transfer shall be furnished to this Tribunal forthwith.



(c) The contingency relating to return, reversal, or unsuccessful electronic transfer of the compensation amount shall be governed by the directions contained in the Result portion infra.

22. **In the result,**

MCOP No.47/2019:-

a) this petition is allowed in part with costs,

b) The petitioner is awarded a total compensation of **Rs.1,50,500/-** **(Rupees One Lakh Fifty Thousand and Five hundred only)** and the 3rd Respondent is liable to pay the said award amount to the petitioner with interest at the rate of 7.5% per annum from the date of filing of the petition till the date of disbursement excluding the default period if any with proportionate cost.

c) **The respondent No.3/Insurance Company is directed, within a period of 30 Days from this day, to pay/deposit the deficit court fee, if any, before this Tribunal in accordance with law, and thereafter to transfer the balance award amount, together with accrued interest and costs, directly to the petitioner's Bank account No.1267108029786, Canara Bank, Thirukazhikundram Branch.**

(d) The respondent No.3/Insurance Company shall file before this Tribunal proof of payment/deposit of the deficit court fee, if any, and proof of electronic transfer of the balance award amount to the Petitioner's bank account(s) immediately after compliance.



(e) Only in the event the electronic transfer is returned, reversed, or remains unsuccessful on account of the bank account being inoperative, closed, incorrect, or for any other reason attributable to the Petitioner, the 3rd respondent/Insurance Company shall intimate this Tribunal along with proof, if any, and the concerned Petitioner. The Petitioner shall furnish correct and operative bank account particulars before this Tribunal within two weeks from the date of such intimation, and the respondent Insurance Company shall re-transfer the amount to the corrected bank account within the time fixed by this Tribunal. Any delay attributable to such incorrect or inoperative account particulars shall not render the respondent Insurance Company liable for additional interest for the period of such delay.

f) Advocate fee is fixed at Rs.6,010/-.

MCOP No.48/2019:-

a) this petition is allowed in part with costs,

b) The petitioner is awarded a total compensation of **Rs.5,89,000/-** **(Rupees Five Lakhs Eighty Nine Thousand only)** and the 3rd Respondent is liable to pay the said award amount to the petitioner with interest at the rate of 7.5% per annum from the date of filing of the petition till the date of disbursement excluding the default period if any with proportionate cost.

c) **The respondent No.3/Insurance Company is directed, within a period of 30 Days from this day, to pay/deposit the deficit court fee, if any, before this Tribunal in accordance with law, and thereafter to transfer the balance award**



amount, together with accrued interest and costs, directly to this Tribunal's Bank Account, the Chief Judicial Magistrate Court, Chengalpattu through NEFT/RTGS mode in the State Bank of India, Main Branch, Chengalpattu in A/c No:36092281179, IFSC Code: SBIN 0000824, within two months from the date of this order and further ordered to comply the order dated 11.03.2016 under para 11 (ix) in CMA No.428/2016 before the Hon'ble High Court of Madras duly communicating this to the Tribunal and copy endorsed to the petitioner or her counsel. The said awarded amount along with the accrued interest thereon is ordered to be deposited in a Nationlized Bank till the minor attains Majority, there after the same to be transferred to the petitioner's Bank account on production of bank acccount particulars before this court.

d) Advocate fee is fixed at Rs.12,890/-.

Dictated by me to the Steno-typist, typed by her directly in the Computer, corrected and pronounced by me in the open court, on this the 31st day of July 2026.

Motor Accident Claims Tribunal Judge/
Chief Judicial Magistrate, Chengalpattu.

Enclosures:-

Petitioner Side Witnesses:-

PW.1 Mrs.Chandira

Petitioner Side Exhibits:-

Ex.P1/PW1	21.12.2018	First Information Report true copy
Ex.P2/PW1	-	2nd Petitioner's vehicle RC Book photo copy
Ex.P3/PW1	-	2nd Petitioner's vehicle Insurance Police - photo copy
Ex.P4/PW1	14.01.2019	Discharge Summary Book of the Petitioner Chandira



Ex.P5/PW1	31.01.2019	Discharge Summary of the Lakshmi Priya
Ex.P6/PW1	-	Aadhaar Card of Petitioner Chandira - photo copy
Ex.P7/PW1	-	Aadhaar Card of Petitioner Lakshmi Priya - photo copy
Ex.P8/PW1	-	Joint account Pass Book 1st page of Lakshmi Priya - photo copy
Ex.P9/PW1	21.12.2018	Scan payment receipt
Ex.P10/PW1	31.12.2018	Discharge Summary issued by Pediatric Intensive Care Unit Institute of Child health & Hospital for Children, Egmore
Ex.P11/PW1	--	No such exhibit marked
Ex.P12/PW1	22.01.2019	CT Brain Scan proforma for diagnosis photo copy
Ex.P13/PW1	-	CT Scans 9 Numbers
Ex.P14/PW1	05.02.2019	MRI Scan report of Lakshmi Priya issued by TNMSC, Egmore Chennai - 8

Respondent Side Witnesses, Exhibits:-

RW.1 Mr.Murali, Motor Vehicle Inspector

RW.2 Mrs.Vijayalakshmi

Respondent Side Exhibits:-

Ex.R1/RW1	11.01.2019	Payment receipt
Ex.R2/RW1	21.12.2018	Motor Vehicle Report photo copy
Ex.R3/RW1	02.11.2023	Memo to produce document office copy

Motor Accident Claims Tribunal Judge/
Chief Judicial Magistrate, Chengalpattu.



PROFORMA

(as per the directions of the Hon'ble High Court, Madras order
in Tr.CMP Nos.264 to 281/2020 dated 11.05.2020)

- a. Name & address of the Claimant(s) :: **(in MCOP No.47/2019)**
Chandira, aged about 27 years,
W/o.Thiruvengadam,
Residing at No.11,
Mavalingamman Kovil Street,
Mullikulathur Village,
Thirukazhukundram Taluk,
Kancheepuram District.
- (in MCOP No.48/2019)**
Minor. Lakshmipriya, aged about 3 years,
D/o.Thiruvengadam,
(Represented by her Natural Guardian
and Mother Chandira W/o.Thiruvengadam)
Residing at No.11,
Mavaligamman Kovil Street,
Mullikulathur Village,
Thirukazhukundram Taluk,
Kancheepuram District.
- b. Name & address of the Respondent(s) :: 1. Premkumar, S/o.Yuvaraj,
Residing at No.39,
Pudumettu Street,
Thirukazhukundram Town and Taluk,
Kancheepuram District,
Pin Code: 603 109.
2. Navaneetham, W/o.Yuvaraj,
No.39, Puthumettu Street,
Thirukazhukundram Town and Taluk,
Kancheepuram District,
Pin Code: 603 109.
3. M/s The New India Assurance Co. Ltd.,
Velachery D.O. (712700)
C.M.Complex, II Floor,
No.1, 7th Main Road, Tansi Nagar,
Velachery -Taramani Link Road,
Velachery, Tamil Nadu 600 042.



- c. Name & address of Insurance Company :: M/s The New India Assurance Co. Ltd.,
Velachery D.O. (712700)
C.M.Complex, II Floor,
No.1, 7th Main Road, Tansi Nagar,
Velachery -Taramani Link Road,
Velachery, Tamil Nadu 600 042.
- d. Name & address of Transport Corporation or such other respondents who are held liable to pay :: - Not Applicable-
- e. Date of filing of the claim petition :: 28.03.2019
- f. Date of award :: 31.07.2026
- g. The Claims Tribunal shall upload the award contemporaneous with the date on which the award is passed and the uploaded award copy shall also be construed as an authenticated copy of the award and it will also suffice for the purposes of filing an appeal or for the purposes of execution of award :: -
- h. Amount of Award ::
for MCOP No.47/2019 Rs.1,50,500/-
for MCOP No.48/209 Rs.5,89,000/-
- i. Interest rate applicable 7.5% p.a.



-22 of 23-

- j. Date(s) from which interest is payable From 31.07.2017 to till the date of deposit on Rs.1,50,500/- & Rs.5,89,000/- respectively
- k. Costs if any Court Fee
- | | for MCOP 47/2019 | For MCOP 48/2019 |
|---------------|------------------|------------------|
| award amount: | Rs. 877.50 | Rs. 5,262.50 |
| Vakalat | Rs. 10.00 | Rs. 10.00 |
| Pleader's fee | Rs.6,010.00 | Rs.12,890.00 |
| Total | Rs.6,897.50 | Rs.18,162.50 |
- l. In cases where the compensation, interests and interests and costs are directed to be paid proportionately, the award should also specify who shall pay which portion of award, interest and costs 3rd Respondent shall pay Award, interest and cost.
- m. In cases where there are :: - Not Applicable - several claimants, the shares and amounts payable to each of them shall be specified
- n. The mode and manner of deposit of compensation/ : 3rd Respondent shall be directed to deposit Disbursement directly to the petitioner's bank account No.**1267108029786, Canara Bank, Thirukazhikundram Branch.** through NEFT or RTGS
- For MCOP No.47/2019
- For MCOP No.48/2019 :: 3rd Respondent shall be directed to deposit to this Court MACT account. Particulars: State Bank of India, Main Branch, Chengalpattu in A/c



-23 of 23-

No:36092281179, IFSC Code: SBIN 0000824,

through NEFT or RTGS, on deposit the same shall be invested in a Nationlized Bank till attaining Majority

- o. Excess Court fee paid
MCOP No.47/2019

MCOP No.48/2019
- :: Court Fee paid Rs.16,000/- - Court fee for the award amount Rs.877.50 = Court fee excess paid
=Rs.15,122.50
- :: Court fee paid Rs.14,872.50 - Court Fee for the award amount Rs.5,262.50 = Court fee excess
=Rs.9,610/-
- q. Court fee exemption cases : **- Not applicable-**

Motor Accident Claims Tribunal Judge/
Chief Judicial Magistrate, Chengalpattu.



Draft/Fair Judgment

MCOP.No.47/2019

&

MCOP No.48/2019

Dt.31.07.2026

MACT/Chief Judicial
Magistrate, Chengalpattu.