

**MOTOR ACCIDENT CLAIMS TRIBUNAL,
MADURANTAKAM**

**PRESENT: Mr.T. GANESH, B.A.,B.L.,
Subordinate Judge,
Madurantakam.**

**Thursday, this 16th day of July 2026
MCOP No. 55/2020
(CNR.No.TNCG13-000196-2020)**

1. T. Malliga, (aged about 55 years),

W/o.Late. Tirupathi,

2. T. Munian, (aged about 30 years),

S/o.Late. Tirupathi

residing at Mettu Street, Reddipalayam Village,

Padiri, Madurantakam Taluk,

Chengalpattu District.

3. P. Prasanna, (aged about 28 years),

D/o.Late.Tirupathi, W/o. Ponnai,

residing at Morapakkam Village,

Madurantakam Taluk, Chengalpattu District.

4. M. Deivanai, (aged about 83 years),

residing at Pillayar Koil Street,

Reddipalayam Village, Padiri,

Madurantakam Taluk, Chengalpattu District.

...Petitioners

/Vs/

1.V. Kuppan, S/o. Varadhan,

No. 276/1, Pillayar Koil Melandai Street,

Kuripedu Village, Salavedu Post,

Vandavasi Taluk, Thiruvannamalai District.

2. United India Insurance Co. Ltd.,

No. 80, Park Town, Old No. 66/New No. 153,

1st Floor, Wall Tax Road, Chennai – 600 001.

....Respondents

This petition was taken on file by this Tribunal court on 16.10.2020.

1.	Name and address of the 1 st petitioner	T. Malliga, (aged about 55 years), W/o.Late. Tirupathi, residing at Mettu Street, Reddipalayam Village, Padiri, Madurantakam Taluk, Chengalpattu District.
2.	Name and address of the 2 nd petitioner	T. Munian, (aged about 30 years), S/o.Late. Tirupathi, residing at Mettu Street, Reddipalayam Village, Padiri, Madurantakam Taluk, Chengalpattu District.
3.	Name and address of the 3 rd petitioner	P. Prasanna, (aged about 28 years), D/o.Late.Tirupathi, W/o. Ponnai, residing at Morapakkam Village, Madurantakam Taluk, Chengalpattu District.
4.	Name and address of the 4 th petitioner	M. Deivanai, (aged about 83 years), residing at Pillayar Koil Street,

		Reddipalayam Village, Padiri, Madurantakam Taluk, Chengalpattu District.
5.	Name and address of the 1 st respondent	V. Kuppan, S/o. Varadhan, No. 276/1, Pillayar Koil Melandai Street, Kuripedu Village, Salavedu Post, Vandavasi Taluk, Thiruvannamalai District.
6.	Name and address of the 2 nd respondent	United India Insurance Co. Ltd., No. 80, Park Town, Old No. 66/New No. 153, 1 st Floor, Wall Tax Road, Chennai – 600 001.
7.	Date of filing of petition	04.09.2020
8.	Date of Award	16.07.2026
9.	Person who is liable to pay compensation	2 nd respondent is liable to pay compensation. Liberty given to 2 nd respondent to recover the same from 1 st respondent.
10.	Details of Award amount	Rs. 12,61,000.00 (Rupees Twelve Lakhs Sixty-One Thousands Only) along with an interest at 7.5% from the date of petition till the date of deposit of the award amount excluding the period of dismissal for default if any.
11.	Details of Interest awarded.	Interest at the rate of 7.5% per annum from the date of petition till the date of realisation.
12.	Details of deposit and disbursement of award amount	Deposit by way of E-transfer such as NEFT, RTGS etc., into State Bank of India, Madurantakam Account No. 42910484246 IFSC code SBIN0000870 of Presiding officer, Motor Accident Claims Tribunal (MACT) Madurantakam.

		Petitioner to receive directly through E transfer such as NEFT or RTGS etc., in the bank account.
13.	Advocate fees	Advocate fee of Rs. 19,610.00 fixed for the petitioners to make payment to his counsel as per the sub rule 4 of rule 20 of TN MACT Rules 1989.
14.	Details of court fees	Total court fees to be paid by the petitioners are Rs. 11,982.50. The petitioners have paid a court fee of Rs.1,000/-. The deficit court fee of Rs. 10,982.50 shall be paid within 15 days from the date of award.
15.	Orders as to costs	Respondent No.2 is liable to pay costs to the petitioners for a sum of Rs. 31,602.50.

This petition coming before this Tribunal for final hearing on 23.06.2026 in the presence of M/s.K.Ayyanarappan and A.Umamaheswari, counsels for Petitioners and Mr.V.Selvakumar, counsel for 1st respondent, Mr.R.S.Renganathan, counsel for 2nd Respondent and 1st Respondent called absent and set exparte and having heard arguments submitted on behalf of both sides, having perused the case records and having stood over the same till date, this Tribunal delivers the following.

ORDER

Petitioners/Claimants filed this claim petition under Section 140 and 166 of Motor vehicle Act 1988, (Act IV of 39 r/w Rule 3 of M.A.C.T. Rules 1961) claiming of Rs.15,00,000.00 (Rupees Fifteen Lakhs Only) towards compensation for the death of deceased Tirupathi in a road accident on 15.07.2020.

2. Petition averments in brief:

On 15.07.2020 the deceased M. Tirupathi was travelling in a bicycle proceeding in Maruvathur to Vandavasi road. At about 09:00 hrs, when he was nearing Otakovil Junction, Madurantakam taluk, a Motor cycle bearing registration number TN 97 Z 3866 driven by its driver in a rash and negligent manner and hit him. Due to that he sustained grievous injuries. In spite of taking treatment, he died on 18.07.2020 in RG Govt. General Hospital, Chennai.

Accident was solely due to the rash and negligent driving of the rider of the Motor cycle. Police also registered case as against the rider of the Motor Cycle. Due to the sudden death of M. Tirupathi, the petitioners got severe mental pain and agony. The deceased is the only sole bread winner of the family. Hence the petitioners are claiming compensation of Rs. 15,00,000.00 as against the respondents.

1st respondent as owner of the said two-wheeler and the 2nd respondent as insurer who is contractually liable to pay the compensation amount to the petitioners.

Hence the petitioners pray for an award for a sum of Rs.15,00,000/- as against the respondents with interest at 12% per annum from the date of accident till the date of deposit and with costs and to pass such other suitable orders.

3. Though the 1st respondent entered appearance through his counsel, he failed to file counter and hence he was called absent and set exparte.

4. Averments of the 2nd respondent in brief:

The 2nd respondent denies all the allegations made in the claim petition. Police have not sent the Detailed Accident Report to this court as contemplated under Section 159 of the Amended Motor Vehicles Act. There is no master and servant relationship between 1st respondent and the alleged driver of the motor cycle Jayakumar on the date of alleged accident. There is no vicarious liability arise in the above case. Petitioners are also put to give strict proof under law that the alleged driver Jayakumar, S/o. Kuppan possessed and got valid driving licence to drive the

above said motor cycle on the date of alleged accident. The petitioners also put to give strict proof that the owner of the said motor cycle gave valid permission to the driver of the motor cycle to drive the same in road.

The alleged accident may be occurred by the contributory negligence on the part of the deceased Thirupathi. At the time of alleged accident the said Thirupathi may be under the influence of Alcohol and inebriated condition drove his cycle in a zig-zag manner by over booze and may voluntarily invited the alleged accident by crossing the road suddenly on the wrong side without noticing the vehicles coming on the road. The deceased Thirupathi alone is the tort-feasor His negligence alone is the cause for the accident. He invited the accident by his own fault and negligence as stated above. Hence this respondent have no contractual liability to pay compensation to the petitioners.

In this case the petitioners are not entitled to get compensation from this respondent in any manner as no contractual liability arose in this case in any manner. This respondent may be exonerated from the liability to pay compensation to the petitioners on the ground that the contributory negligence on the part of the deceased Thirupathi is the cause and reason for the alleged accident.

In any event the petitioners 2 and 3 are major sons and married daughter. They cannot claim themselves as the dependent of deceased Thirupathi. The petition filed by the petitioners 2 and 3 is liable to be dismissed as they are not entitled to claim any compensation under law. This respondent is in no way liable to pay such restricted compensation to the petitioners in any manner. The petitioners did not file necessary or any proof to show the alleged loss and expenditures said to have incurred by them narrated in column No.21 (A) of the petition.

The petitioners did not sustain in any shock, pain and sufferings, income loss on the death of Thirupathi. The petitioners exaggerated the facts with a view to get higher compensation from this Court. There is no truth in the allegations of the

petitioner stated in the petition. The petition is suffered by suppression of true facts. The petitioners may impliedly practice fraud on this court in filing the petition to get compensation by projecting false facts on cooked up documents. This respondent disputes the correctness and genuineness of the claim of the petitioner made against this respondent. This respondent also disputes the correctness and genuineness of the alleged documents listed in the petition.

It appears the alleged driver K.Jayakumar, S/o. Kuppan did not possess valid driving licence to drive motor cycle in the road on the date of alleged accident. The alleged driver K.Jayakumar, S/o. Kuppan may drover the motor cycle without knowledge, consent and permission of the Kuppar, S/o. Varadhan on the date of alleged accident. Therefore no vicarious liability arose in this case. Further the alleged driver K. Jayakumar, S/o. Kuppan may drove the motor cycle without valid driving licence which is against the terms and conditions of the insurance policy issued by this respondent to the 1st respondent towards the motor cycle stated in the petition. The act of the above said driver is violation and breach of the terms and conditions of the insurance policy issued by this respondent to the 1st respondent. Hence this respondent is not liable to pay the alleged compensation damages to the petitioners as the terms and conditions of the insurance policy is breached and violated by the 1st respondent and the act of the driver K. Jayakumar, S/o. Kuppan by driving the motor cycle without valid driving licence. The petitioners can claim compensation and damages only from the 1strespondent alone. The petition filed against the 2nd respondent is liable to be dismissed.

This respondents crave leave of this court to permit this respondent to take and avail all the defences available to the 1st respondent under law apart from the statutory defences available to this respondent by filing necessary petition under section 170 of M.V.Act read with Section 149 of M.V.Act in case the 1st respondent

remains exparte in the above case or failed to contest the claim of the petitioners on collusion with petitioners. Hence this petition is liable to be dismissed with cost.

5. The 2nd respondent has filed petition U/s. 170 of M.V. Act, to defend the case on all or any of the grounds that are available to the 1st respondent and the same is allowed.

6. Points for determination:

1. Whether the accident was occurred due to the rash and negligent driving of the rider of the Two-wheeler bearing Registration Number TN 97 Z 3866?
2. What is the quantum and apportionment?
3. Whether the respondents are liable to pay compensation to the petitioners?

7. Petitioners examined the 1st petitioner as Pw1 and through her Exs. P1 to P12 marked. He also examined one Sakkarapani as Pw2 and no documentary evidence marked through him. On the other hand the 2nd respondent examined Mr. Mr.T. Thanikachalam, Motor Vehicle Inspector, Cheyyur examined as Rw1, on summons, through him Ex X-1 and X-2 marked.

8. Heard both sides and perused the records carefully.

9. Point No.1:

“Whether the accident was occurred due to the rash and negligent driving of the driver of the 1st respondent vehicle?”

The petitioners alleged that on 15.07.2020 at about 09.00 hours, while the deceased Tirupathi was proceeding in a bicycle on Maduranthakam to Vandavasi

Road near Ottakovil Junction, the rider of the Hero Honda Motor Cycle bearing Registration Number TN 97 Z 3866 drove the vehicle in a rash and negligent manner and dashed against the bicycle, due to which the deceased sustained grievous injuries and subsequently died on 18.07.2020 while undergoing treatment. The 2nd respondent denied the allegations and contended that the deceased himself contributed to the accident by riding the bicycle in a zig-zag manner under the influence of alcohol and suddenly crossing the road without noticing the oncoming vehicles.

With reference to the alleged rash and negligent driving of the offending vehicle, Pw2 testified as eye witness. He clearly deposed about the negligence of the rider of the offending vehicle as such the accident was occurred due the negligence of the said rider alone. Though in cross examination he deposed that he cannot fix negligence, in chief evidence he clearly deposed that the accident was occurred due to the negligence of the rider of the two-wheeler. Any how the on the basis of complaint preferred by daughter of deceased Tirupathi, tthe SHO, Kilkodungalore Police Station registered the First Information Report, Ex.P1, in Crime No.1127/2020 under Sections 279 and 337 of IPC, which was subsequently altered under Sections 279 and 304(A) IPC as evidenced by Ex.P2 Alteration Report after the death of the deceased. The contents of Ex.P1 and Ex.P2 corroborate the case of the petitioners regarding the involvement of the offending vehicle. There is nothing on record to deny or dispute Ex P1 and P2. Though the 2ndrespondent alleged contributory negligence on the part of the deceased, and also contended that the deceased was under the influence of alcohol, no independent evidence has been adduced to substantiate the said defence. It is highly condemnable that the 2nd respondent without iota of evidence took a plea that the deceased was under the influence of alcohol. Further the counter averments would show that it was pleaded on assumptions and presumptions alone. There is no concrete defence was taken by the 2nd respondent. Atleast the 2nd respondent can very well examine the rider of the offending vehicle.

But for the reasons best known to them, he was not examined to substantiate the defence. It is fatal to the defence of the 2nd respondent. Mere pleadings in the counter without supporting evidence cannot be accepted. This clearly shows that the 2nd respondent took a blind defence to avoid its liability of paying compensation.

The 2nd respondent examined the Motor Vehicle Inspector as Rw1 and marked Ex.X1 and Ex.X2. However, the evidence of Rw1 is confined only to the inspection of the vehicle and does not establish that the accident occurred due to the negligence of the deceased. No material has been produced to probabalise the defence of contributory negligence muchless to cast negligence upon the deceased.

Therefore, on an overall appreciation of the oral and documentary evidence, particularly Ex.P1 and Ex.P2, this Court comes to the conclusion that the accident occurred due to the rash and negligent riding of the rider of the Hero Honda Motor Cycle bearing Registration Number TN 97 Z 3866. Accordingly, this point is answered in favour of the petitioners.

10. Point No.2:

“What is the quantum and apportionment?”

In respect of right to seek compensation, the petitioners have produced the legal heir certificate as Ex P6 which shows that the petitioners are legal heirs of the deceased Tirupathi, who died in the accident. 2nd respondent also didn't deny the same. Anyhow the petitioners who are legal heirs cum dependants are entitled for compensation.

Now coming to the quantum of compensation, this court embark upon the various decisions of our Hon'ble Apex Court and Hon'ble High Court. To fix the compensation amount this court has to fix the age, occupation and monthly income of the deceased. The petitioners claimed that the deceased was 59 years old and earned a sum of Rs.18,000/- per month as a Farmer.

a). In respect of the age of the deceased, the petitioner has produced Ex P3- post mortem certificate, which shows that the deceased was 65 years old at the time of accident. Ex.P4 – Death Report, which show that the deceased was 59 years old at the time of accident. Ex P5 the death certificate would show that the deceased was 65 years old at the time of accident. No other documents produced to show the age of the deceased. Ex P5 is nothing but death certificate of deceased, where the information contains therein were informed by the petitioners alone. There is no birth certificate of the deceased was produced. So, this court indulge to consider the age of the deceased as 65 years as the petitioners document namely Ex P3 and P5 substantiate the same. Considering the same this court concludes that the age of the deceased would be 65 at the time of accident.

b). In respect of the monthly income of the deceased, the petitioners claimed that the deceased earned a sum of Rs.18,000/- per month as a Farmer at the time of accident. The petitioners have not produced any evidence to prove the same. Hence this Court is inclined to fix notional income. As per division bench decision of our Hon'ble High Court in *Petchiammal Vs M.Sathiyamurthy in CMA 2636/2022*, it was held that a sum of Rs. 17,000.00 to be taken as notional income of an ordinary person of the year 2019. Here the accident was occurred in the year 2020. Hence there is no bar to fix a sum of Rs. 17,000.00 as monthly income, as notional income itself Rs. 17,000.00 p.m fixed by Hon'ble High Court in the year 2020. Hence this court fix the income of the deceased as Rs.17,000.00 p.m at the time of accident.

c). To assess the appropriate compensation the monthly income, multiplicand, loss of estate, consortium, funeral expenses etc., should be taken into account. This court has fixed a sum of Rs.17,000.00 p.m as notional income of the deceased on the date of accident. The deceased would have earned more additional income if he had lived for his full lifetime. Here the deceased is self-employed and his age was 65 years old at the time of accident. As per the decision of our Hon'ble apex court in **Pranay Sethi**

case, future prospectus should be added in the income of the deceased. But here the deceased was 65 years old. So, no future prospectus for the deceased. So, the monthly income would be Rs.17,000/- p.m. The deceased would have spent 1/4 of his income for personal expenses out of his total income, as there are four dependents, which was arrived as per **Pranay Seithi case**. So, this court deducts 1/4 of the total income of the deceased towards personal expenses. Thus, monthly income which petitioners would have received as dependents after having addition and deduction as indicated above will come to (Rs.17,000 – (17,000.00 x 1/4)) Rs. 12,750/-. So, the yearly loss of dependency would be (12,750 X 12) Rs.1,53,000.00. As per the decision of our Hon'ble Apex Court in **Sarala Verma** case, the multiplicand for the age between 61 to 65 would be 7. So, the loss of dependency would be (Rs.1,53,000.00 x 7) Rs.10,71,000.00.

d) Apart from loss dependency the dependents are entitled to the loss of estate, loss of consortium, funeral expenses and transport expenses as per decision of our Hon'ble Apex Court namely **Pranay Seithi case**. In the above said decision the Hon'ble Apex Court has ordered to pay Rs. 40,000 towards consortium, Rs.15,000.00 towards funeral expenses and Rs.15,000.00 towards loss of estate. So, the petitioners are entitled to Rs.15,000.00 towards loss of estate, Rs.15,000.00 towards funeral expenses, and Rs.40,000.00 each towards marital consortium and filial consortium. So, the petitioners are entitled to (Rs.10,71,000.00 + 15,000 +15,000+40,000+40,000+40,000+40,000+40,000) **Rs.12,61,000.00** as total compensation.

Sl.No.	Heads	Granted amount
1)	Monthly income with future prospectus	NIL
2)	1/4 th deduction towards his own expenses from income (Rs.17,000 – (17,000.00 x 1/4))	Rs. 12,750.00

3)	Yearly loss of income (12,750 X 12)	Rs. 1,53,000.00
4)	Multiplier (Age 61 to 65)	7
5)	Loss of Dependency (Rs.1,53,000.00 x 7)	Rs.10,71,000.00
6)	Loss of consortium for the 1 st petitioner	Rs. 40,000.00
7)	Loss of consortium for the 2 nd petitioner	Rs. 40,000.00
8)	Loss of consortium for the 3 rd petitioner	Rs. 40,000.00
9)	Loss of consortium for the 4 th petitioner	Rs. 40,000.00
10)	Loss of estate	Rs. 15,000.00
11)	Funeral Expenses	Rs. 15,000.00
	Total	Rs. 12,61,000.00

As discussed, and tabled above the petitioners are entitled to a sum of Rs.12,61,000.00 as compensation. Coming to the interest this court delve upon the decision of hon'ble apex court in **Rajapriya case ((2005) 6 SCC 236)** where the interest shall be awarded 7.5% p.a. This court also award interest at the rate of 7.5% p.a towards the compensation payable to the petitioners from the date of filing till realization.

Thus, the petitioners are entitled to get total compensation of Rs.12,61,000.00 with proportionate interest and cost at the rate of 7.5% p.a from the date of petition till realization. Hence this point is answered accordingly.

11. Point No.3:

“Whether the respondents are liable to pay compensation to the petitioners?”

Though the 2nd respondent initially defended the petition that the offending vehicle TN 97 Z 3866 was not insured with them, the petitioners have produced Ex.P7 – Registration Certificate and Ex.P8 – Insurance Policy, which clearly show

that the 1st respondent is the owner of the offending vehicle and that the vehicle was insured with the 2nd respondent at the time of accident. The 2nd respondent has not produced any contra evidence to disprove the insurance coverage. So, there is no doubt that the 1st respondent is the owner of the offending vehicle namely TN 97 Z 3866 and the 2nd respondent is the insurer of the same.

Next, the 2nd respondent contends that the driver of the offending vehicle had no valid driving licence at the time of accident. 2nd respondent examined the Road Transport Officer as Rw1 to prove the same. Ex X2 would show that the driving licence of the rider of the offending vehicle was not produced. There is no document produced by the petitioner to show that the rider of the offending two-wheeler had valid driving licence at the time of accident. If really the rider had valid driving licence, the 1st respondent would enter defence in this petition and file the same. Non defending the petition by the 1st respondent would show that the rider of his two-wheeler had no valid driving licence at the time of accident. So, this court comes to conclusion that the rider of the 1st respondent's two-wheeler had no valid driving licence at the time of accident.

Mere the rider of the two-wheeler had no driving licence would not exonerate the 2nd respondent from paying compensation. Catena of decisions are there, that in case of violation of policy conditions, the insurer should pay the amount at first and recover the same from the owner of the vehicle. In such circumstances, this Tribunal holds that the 2nd respondent, being the insurer of the offending vehicle, is liable to indemnify the 1st respondent and pay compensation to the petitioner and recover the same from the 1st respondent. Hence this Point No.3 is answered accordingly.

12. Result:

In the result,

1. This claim petition is partly allowed.

2. That the 2nd respondent is liable to pay compensation to the petitioners and that they are hereby directed to pay them a sum of Rs. 12,61,000.00 (Rupees Twelve Lakhs Sixty-One Thousands Only) along with an interest at 7.5 percent per annum from the date of petition till the date of deposit of the award amount excluding the period of dismissal for default if any.
3. Out of the said award amount the 1st petitioner is entitled to Rs.8,61,000/- the petitioners 2 and 3 are each entitled to Rs.1,50,000.00 and the 4th petitioner is entitled to Rs. 1,00,000.00 with subsequent interest.
4. That it is hereby directed that the said amount shall be paid within 30 days from the date of the award in the Bank account of the Presiding Officer, Motor Accident Claims Tribunal, (MACT) Madurantakam in the State Bank of India Account No. **42910484246** (IFSC code SBIN0000870) through the direct bank e-transfer modes of money ie. RTGS or NEFT.
5. That the compensation amount to be deposited in the fixed deposit till the filing of the petition by the petitioner and as per the orders passed in such petition, the petitioner is entitled to receive the amount directly through his bank account through e-transfer modes of money ie. NEFT or RTGS.
6. That liberty was given to the 2nd respondent to recover the amount deposited with subsequent interest from the 1st respondent.
7. That the total court fees to be paid by the petitioners is Rs.11,982.50. The petitioners have paid a court fee of Rs. 1,000.00. The deficit court fee of Rs. 10,982.50 shall be paid by the petitioners within 15 days from the date of award.
8. That the Advocate fee of Rs. 19,610.00 is fixed for the petitioners to make payment to his counsel as per Sub Rule 4 of Rule 20 of TN MACT Rules 1989.
9. That the 2nd respondent is directed to pay a cost of Rs. Rs. 11,992.50 and Advocate fee of Rs.19,610.00 totaling a sum of Rs. 31,602.50 to the petitioners.

Details of petitioners and their bank accounts

1.	Name and address of the 1 st petitioner and details of Aadhar card	T. Malliga, (aged about 55 years), W/o.Late. Tirupathi, residing at Mettu Street, Reddipalayam Village, Padiri, Madurantakam Taluk, Chengalpattu District.
	Name of the Bank and Branch	Indian Bank, Ramapuram Branch.
	1 st Petitioner's Bank Account No.	6341086341
	Bank IFSC No.	IDIB000R037
2.	Name and address of the 2 nd petitioner and details of Aadhar card	T. Munian, (aged about 30 years), S/o.Late. Tirupathi, residing at Mettu Street, Reddipalayam Village, Padiri, Madurantakam Taluk, Chengalpattu District.
	Name of the Bank and Branch	Indian Bank, Ramapuram Branch.
	2 nd Petitioner's Bank Account No.	6489121254
	Bank IFSC No.	IDIB000R037
3.	Name and address of the 3 rd petitioner and details of	P. Prasanna, (aged about 28 years), D/o.Late.Tirupathi, W/o. Ponnann,

	Aadhar card	residing at Morapakkam Village, Madurantakam Taluk, Chengalpattu District.
	Name of the Bank and Branch	Indian Overseas Bank, Madurantakam Branch.
	3 rd Petitioner's Bank Account No.	015401000025078
	Bank IFSC No.	IOBA0000154
4.	Name and address of the 4 th petitioner and details of Aadhar card	M. Deivanai, (aged about 83 years), residing at Pillayar Koil Street, Reddipalayam Village, Padiri, Madurantakam Taluk, Chengalpattu District.
	Name of the Bank and Branch	NIL
	4 th Petitioner's Bank Account No.	NIL
	Bank IFSC No.	NIL

Since the petitioners have not filed their details of Pan card, they are directed to file the same immediately. Likewise the 4th petitioner has not filed bank pass book and she is directed to file the same immediately.

Details of cost

	Petitioners Side	Rs.P	Respondents side	Rs.P
1	Vakalath	10.00	Vakalath	10.00
2	Court Fee	11,982.50	--	--

3	Advocate Fee	19,610.00	--	--
	Total	31,602.50	Total	10.00

Directly typed in my lap-top, corrected and pronounced by me in the open court, this 16th day of July, 2026.

Motor Accidents Claims Tribunal Judge/
Subordinate Judge,
Madurantakam.

(All necessary particulars are incorporated in the award itself as per the order of Honourable Madras High Court in Cholamandalam MS Genl Insurance Co.Ltd. Vs. Mr.S.Ayyanar and others Tr.CMP Nos.264 to 281 of 2020 Dt.11.05.2020 and hence it is directed to treat the same as decree)

PETITIONER'S WITNESSES:

PW1: T. Malliga (1st Petitioner)

PW2: M. Sakkarapani

PETITIONER'S EXHIBITS:

Ex P1	18.07.2020	First Information Report.	True copy
Ex P2		Alteration Report.	True Copy
Ex P3	19.07.2020	Postmortem certificate of deceased Tirupathi.	True Copy
Ex P4		Death Report.	True Copy
Ex P5		Death Certificate of deceased Tirupathi.	E - Receipt
Ex P6		Legal Heir Certificate.	E - Receipt
Ex P7		Registration certificate of 1 st	Xerox Copy

		respondent's vehicle.	
Ex P8		Insurance Policy of 1 st respondent's vehicle.	Xerox Copy
Ex P9		Inspection Report of the 1 st respondent's vehicle bearing registration No. TN 97 Z 3866.	True Copy
Ex P10		Observation Mahazar.	True Copy
Ex P11		Aadhar card of the petitioners 1 to 3.	Xerox Copy
Ex P12		Bank Pass book of the petitioners 1 to 3.	Xerox Copy

2nd RESPONDENT'S WITNESSES:

RW1 : Mr.T. Thanikachalam, Motor Vehicle Inspector, Cheyyur.

2nd RESPONDENT'S EXHIBITS:

Ex X1 through Rw1	06.02.2025	Authorization Letter.	Original
Ex X2 through Rw1		Inspection Report of the 1 st respondent's vehicle bearing registration No. TN 97 Z 3866.	True Copy

Motor Accidents Claims Tribunal Judge/
Subordinate Judge,
Madurantakam.

TNCG130001962020



Fair / Draft Order
MCOP No.55/2020
D.D: 16.07.2026
Sub Court,
Madurantakam.