



**BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL
(IN THE COURT OF THE I ADDITIONAL DISTRICT JUDGE
RANIPET, RANIPET DISTRICT.)**

Present; Mr.A.BALAKRISHNAN, B.B.A., L.L.B.,
Motor Accident Claims Tribunal Judge/
I Additional District Judge, Ranipet.

Friday, this the 17th day of July 2026

M.C.O.P. No.75 of 2022
(CNR No.TNRP010000912022)

.....

B. Kanimozhi

...Petitioner.

..Vs..

The Managing Director,
TNSTC, Vellore.

...Respondent.

This petition is coming before me for final hearing on 30.06.2026 in the presence of Mr.M.Saravanan, Advocate for the Petitioner and Mr.K.S.Suresh, Advocate for respondent and upon hearing the arguments of both side and perusal of all connected material records and having stood over for consideration till this date, this court passed the following;-

ORDER

The petitioner has filed the claim petition U/s.166 of MV Act 1988, claiming **compensation of Rs.10,00,000/-** for the injuries sustained by her in a motor accident occurred on 10.12.2021.

1. Crux of the petition averments is as follows:-

On 10.12.2021 at 12.00 p.m., when the petitioner was traveling as pillion rider in her neighbor's TVS Super XL two wheeler bearing Reg.No.TN-73-Q-1740 Sholingur to Walajapet Road, nearby Rani Marakkadai, a TNSTC bus bearing Reg.No.TN-21-N-1839 came from back side at same route, driven by its driver in a rash and negligent manner and hit against the petitioner. As a direct result, the petitioner fell down on the road and sustained injuries on left thigh and all over the body. The petitioner was taken immediately to Government Hospital, Walajapet and then to Government Hospital, Vellore for further treatment. The Walajapet Police have filed a case against the driver of the TNSTC bus in Crime No.608/2021, under sections 279 and 337 IPC. The accident took place due to the rash and negligent driving of the TNSTC bus bearing Reg.No.TN-21-N-1839 belonging to the respondent. Hence the respondent is liable to pay the compensation of Rs.10,00,000/- to the petitioner.

2. Nutshell of the counter filed by the respondent is as follows:-

The petition averments are false and hence the petition is liable to be dismissed. The driver of the respondent's bus was driving the bus bearing Reg.No.TN-21-N-1839 carefully in a normal speed by following the traffic rules and at that time the driver of motor cycle bearing Reg.No.TN-73-Q-1740 was driving the motor cycle with two ladies without wearing helmet. The driver of the motor cycle had drove the vehicle by making conversation with the above women and lost his control over the bike and hence they themselves fell down on the road with motor cycle. The First Information Report was falsely registered against the driver of the bus. The compensation amount claimed in the petition is excessive and hence

the respondent is liable to pay any amount to the petitioner. Hence the petition may be dismissed.

3. Points for determination are :-

1. Whether the petition mentioned accident was occurred due to the rash and negligent driving of the driver of respondent's vehicle as alleged by the petitioner.?
2. Whether the respondent is liable to pay compensation to the petitioner as claimed in the petition.?

4. Point Nos.1 & 2 :-

a) The petitioner has alleged that while she was traveling in a motor cycle bearing Reg.No.TN-73-Q-1740 as a pillion rider, the driver of the respondent's bus drove the bus in a rash and negligent manner and dashed on the motor cycle and hence she had sustained injuries. On the other hand, the respondent has filed a counter contending that the petitioner was traveling in a motor cycle along with two other persons without wearing helmet and the driver of the motor cycle drove the motor cycle carelessly and lost his control of the bike and hence the accident was occurred.

b) The petitioner herself was examined as PW1 and Ex.P1 to Ex.P7 such as xerox copy of First Information Report, xerox copy of Accident Register, xerox copy of Discharge summary issued by the Government Vellore Medical College Hospital, xerox copy of Registration Certificate of the respondent's bus, xerox copy of Driving Licence of the driver of the respondent's bus, xerox copy of MVI Report for the bus and xerox copy of Aadhar card of the petitioner were marked. Besides the petitioner, no other witness was examined.

c) On the side of the respondent, the driver of the bus was examined as RW1 and no exhibit was marked. The petitioner has deposed in her evidence that the accident was occurred due to the rash and negligent driving of the driver of the bus. Even though the driver of the bus/RW1 has deposed that the accident was occurred due to the negligence and carelessness on the part of the driver of the motorcycle, the fact that the First Information Report for the offences Under Section 279 and 337 of IPC was registered only against him was not disputed by him.

d) It is to be noted that the alleged accident has been occurred at 12.00 hours on 10.12.2021. The driver of the motorcycle has lodged the complaint before the Police at 17.00 hours on 10.12.2021. The driver of the bus did not lodge any complaint against the driver of the motorcycle. Ex.P1 First Information Report can be considered as a prima-facie evidence to prove the negligence on the part of the driver of the bus. Merely because the petitioner who traveled as a pillion rider in the motorcycle did not wear helmet, it cannot be said that the accident was occurred on the part of the driver of the motorcycle. There is no evidence on the side of the respondent that the driver of the motor cycle was not having required skill or experience in driving the motor cycle with two other persons and because of triple riding of motor cycle, the accident was occurred. Considering the above facts and circumstances of the case, this court is of the view that the petitioner has established that the accident was occurred due to the rash and negligent driving of the driver of the bus.

e) Even though the petitioner has claimed Rs.10,00,000/- as compensation for the injuries sustained by her in the motor accident, admittedly she has

taken treatment only in the Government Hospitals. The petitioner has not produced any medical bills. It is seen from the disability report given by the Medical Board, Ranipet that she is having some difficulty in squatting and sitting with cross legs. The disability of the petitioner has been assessed by the Medical Board at 20%. Considering the fact that the Medical Board has opined that the petitioner is having locomotor disability, this court is of the view that the percentage of disability ascertained by the Medical Board can be accepted. Considering the nature of the injuries and year of the accident, the compensation for the permanent disability of the petitioner is fixed at Rs.10,000/- for each percentage and accordingly the compensation amount is arrived as bellow;

1. Permanent disability 20%	Rs. 2,00,000/-
(Rs.10,000 x 20 = 2,00,000/-)	
2. Pain and suffering	Rs. 10,000/-
3. Extra nourishment	Rs. 5,000/-
4. Transportation	Rs. 3,000/-
5. Attender charges	Rs. 5,000/-
6. Damages to cloth and articles	Rs. 2,000/-

Total	Rs. 2,25,000/-

f) Moreover, as held in judgment in United India Insurance Co.Ltd /Vs/ Indiro Devi and others reported in 2018 ACJ P 2051 the rate of interest of the compensation amount is fixed as 7.5% p.a. These points are answered accordingly.

In the result, the petition is partly allowed with proportionate cost and the respondent is directed to pay **Rs.2,25,000/-** as compensation to the petitioner with interest at the rate of 7.5% p.a from the date of filing of this petition (01.04.2022) till the realization of the amount. The respondent is directed to deposit the said amount to the credit of the Bank Account **(MACT Account No.42816935163 (IFSC Code SBIN0000775) of SBI, Walaja Branch)** of this Tribunal by NEFT/RTGS mode within a period of 2 months from the date of this award, and intimate the said deposit particulars to this Tribunal with a copy of the said bank transaction details and bank advice. On deposit of the award amount, the petitioner is entitled to withdraw the entire award amount by filing necessary application. The petitioner is hereby directed to furnish the self attested copy of the PAN card and self attested copy of Aadhar card to this Tribunal within a period of one month. The deficit court fee a sum of **Rs.1,602.50** to be paid by the petitioner within ten days and the advocate fee is fixed at a sum of **Rs.14,750/-** as per Rules.

Directly dictated by me to the steno-typist and typed by her in the computer, corrected and pronounced by me in the open court, on this the 17th day of July 2026.

Motor Accident Claims Tribunal Judge/
I Additional District Judge,
Ranipet.

Witness examined on the side of petitioner:

PW1 Tmt.Kanimozhi

Documents marked on the side of the petitioner:

Ex.P1	10.12.2021	First Information Report.	(Xerox copy)
Ex.P2	10.12.2021	Accident Register issued by the Government Head Quarters Hospital, Walajah.	(Xerox copy)
Ex.P3	05.02.2022	Discharge summary issued by the Government Vellore Medical College Hospital.	(Xerox copy)
Ex.P4	-----	Registration Certificate (TN-21-N-1839) stands in the name of respondent.	(Xerox copy)
Ex.P5	-----	Driving Licence stands in the name of Ragupathi.	(Xerox copy)
Ex.P6	11.12.2021	MVI Report (TN-21-N-1839)	(Xerox copy)
Ex.P7	----	Aadhar card of the petitioner.	(Xerox copy)

Witness examined on the side of respondent :

RW1.Mr.Ragupathi

Documents marked on the side of respondent: Nil

MACT/IADJ.,
Ranipet.