

BEFORE MOTOR ACCIDENTS CLAIMS TRIBUNAL, TENKASI

ADDITIONAL DISTRICT COURT(FTC), TENKASI

**PRESENT: Thiru. S. Manojkumar, M.A., M.L.,
Motor Accidents Claims Tribunal Authority,
Additional District Judge, Tenkasi.**

Wednesday, the 22nd Day of April 2026

M.C.O.P. No.9/2022

(CNR No.TNTS01-000017-2022)

1. Leeli Pushpam, Age 46, W/o. Moses, residing at Door No. 8/53B, Ambai Road, Alangulam, Alangulam Circle, Tenkasi District.
2. Moses, Age 50, S/o. Kandasamy, residing at Door No. 8/53B, Ambai Road, Alangulam, Alangulam Circle, Tenkasi District.

.....Petitioners

/Vs/

1. Daniel, Age about 26, S/o. Appathurai, Driver of Tata Dost vehicle bearing Reg.No. TN 76 P 3312, residing at Door No. 6-4-12, M.B.C. Street, Alangulam Post, Tenkasi District.
2. Proprietor, M/s. Lingam Beedi Company, Owner of Tata Dost vehicle bearing Reg.No. TN 76 P 3312, Door No. 8/55B, Tenkasi Road, Alangulam Circle, Tenkasi District.
3. National Insurance Company Limited, Insurer of Tata Dost vehicle bearing Reg.No. TN 76 P 3312 having their office at Door No.37C, S.N. High Road, Tirunelveli, Tirunelveli District 627 851 through its Branch Manager.
4. Saravanan, Age 27, S/o. Chellakani, rider of the two wheeler bearing Reg.No. TN 72 BE 1721, residing at Door No. 3/328, Main Road, Poolangulam Post, Alangulam Circle, Tenkasi District.

5. Rengasamy, S/o. Palaniappan, Owner of the two wheeler bearing Reg.No. TN 72 BE 1721, residing at Door No. 16, Uchimahaliyamman Kovil Street, Megalingapuram, Tirunelveli.
6. IFFCO TOKIO General Insurance Company Limited, insurer of the two wheeler bearing Reg.No. TN 72 BE 1721 having their office at Door No. 76, 3rd Floor, Thiripura Arcot, Thiruvananthapuram Road, Palayamkottai, Tirunelveli District through its Branch Manager.
7. United India Insurance Company Limited, insurer of the two wheeler bearing Reg.No. TN 76 AH 1786 having their officer at Door No. 10, 1st Floor, BSNL CSC building, Oorkad Road, Ambasamudram, Tirunelveli District through its Branch Manager.

.....Respondents

This Claim Petition came before this Tribunal for final hearing on 11.04.2026 in the presence of Thiru.K.S.Muthu, Advocate for the petitioners, Thiru.M.Chandra Sooriyan, Advocate for 1st and 2nd respondents, Thiru.A.Nagarajan, Advocate for 3rd respondent, Thiru. J. Samsudeen, Advocate for 6th respondent, Thiru.S.Sankara subramanian, Advocate for 7th respondent, Thiru. S.R.S.Umapathi, Advocate filed Vakalat for 4th respondent and not filed counter and 4th, 5th respondents called absent, set exparte and on hearing the arguments of both sides and upon perusal of the entire case records and this petition having stood over for consideration till this day, this Tribunal delivered the following

ORDER

This Claim Petition was filed by the petitioners u/s 166 and 140 of the Motor Vehicles Act 59/1988 claiming compensation of Rs.1,00,00,000/- with interest for the death of their son namely Yovan, who died in a road accident that took place on 20.08.2021.

2) Briefly stated averments in the Petition are as follows:

On 20.08.2021, victim Yovan was riding the two wheeler bearing Reg.No. TN 76 H 1786, wearing helmet, on Tirunelveli – Tenkasi main road near Vattalur vilakku from east to west on the left side of road with care and control, observing traffic rules. At that time in the said road, the 4th respondent came in the two wheeler bearing Reg.No.TN 76 BE 1721 belonging to the 5th respondent from north to south and turned towards west. In order to avoid hitting on the said two wheeler, the victim attempted to apply brake, but the 4th respondent's two wheeler hit on the box fitted on the back side of the victim's two wheeler and the victim fell down. At that time, in the opposite direction, the 1st respondent drove the Tata Dost vehicle bearing Reg.No. TN 76 P 3312 belonging to the 2nd respondent in a rash and negligent manner and dashed against the victim and the victim sustained grievous injuries on head and all over the body. Immediately, the victim was taken to Tenkasi Govt. Hospital, wherein first treatment was given and after that he was referred to Tirunelveli Govt. Medical College Hospital. But, he died on the way to hospital. The accident happened due to the rash and negligent driving of the 1st respondent and FIR has been registered against the 1st respondent in Alangulam P.S.Cr.No. 521/2021 u/s 279, 304(A) IPC. The 3rd respondent is the insurer of the 2nd respondent's vehicle, 6th respondent is the insurer of 5th respondent's vehicle and 7th respondent is the insurer of the victim's two wheeler. The 1st and 2nd petitioners are parents of victim Yovan. Therefore, all the respondents are liable to pay compensation to the petitioners jointly or severally. Hence, the petitioners have filed this petition for claiming compensation against the respondents.

3) Briefly stated averments in the Counter Statement filed by the 1st and 2nd Respondent are as follows:

The Claim petition filed by the petitioners is not maintainable either in Law or on facts. The narration about the occurrence stated in the petition is absolutely false and frivolous and incorrect one. In fact on 20.08.2021 at 8.15 A.M., on

Tirunelveli – Tenkasi east west main road, on the right side of Vattalur vilakku, barricades were kept on both side of the road and in that place the victim was in a position to pass the said barricade, he rode his two wheeler in a rash and negligent manner, without wearing helmet and at that time, the 4th respondent came in the two wheeler bearing Reg.No. TN 76 BE 1721 from north to south in a rash and negligent manner and without any signal, turned his two wheeler towards north. Hence, in order to avoid the accident, the victim applied sudden brake and dashed against the box fitted on the back side of the 4th respondent's two wheeler and also hit against the 1st respondent's vehicle who drove the Tata Dost vehicle bearing Reg.No. TN 76 P 3312 in the opposite direction with care and control, observing traffic rules. The accident happened due to the rash and negligent riding of the victim and 4th respondent. The 1st and 2nd respondents denied the occupation, income of the victim. At the time of accident, the 1st respondent had valid driving license and valid insurance with the 3rd respondent. Hence, if the Tribunal awards compensation, the 3rd respondent is liable to pay the same. Hence, the petition is to be dismissed with cost.

4) Briefly stated averments in the Counter Statement filed by the 3rd Respondent are as follows:

The Claim petition filed by the Petitioners is not maintainable either in Law or on facts. The 3rd respondent denied the age, income and occupation of the victim. The 3rd respondent denied the manner in which the accident took place as stated in the petition. The accident happened only due to the rash and negligent driving of the victim himself. Besides, this is a clear case of composite negligence, since three vehicles involved in the accident and the accident occurred on the middle of the road. The compensation amount claimed under various heads is highly excessive. Hence, this petition is to be dismissed with cost.

5) Briefly stated averments in the Counter Statement filed by the 6th Respondent are as follows:

The Claim petition filed by the Petitioners is not maintainable either in Law

or on facts. The 6th respondent denied the age, income and occupation of the victim. The 6th respondent denied the manner in which the accident took place as stated in the petition. On the alleged date of accident, the 4th respondent rode the 5th respondent's two wheeler with due care and caution and he is no way responsible for the accident. The victim without having road sense, without having due driving license and without wearing helmet rode the two wheeler negligently and failed to slow down the vehicle in a junction and himself invites the accident and being the tortfeasor, this petition is not maintainable. No FIR has been filed against the 4th respondent and FIR and final report has also been filed against the 1st respondent. The compensation amount claimed under various heads is highly excessive. Hence, this petition is to be dismissed with cost.

6) Briefly stated averments in the Counter Statement filed by the 7th Respondent are as follows:

The Claim petition filed by the Petitioners is not maintainable either in Law or on facts. The 7th respondent denied the age, income and occupation of the victim. The accident happened due to the rash and negligent driving of the 1st respondent and FIR has been registered against the 1st respondent in Alangulam P.S.Cr.No. 521/2021 u/s 279, 304(A) IPC. The 7th respondent is only a formal party in this petition. The compensation amount claimed under various heads is highly excessive. Hence, this petition is to be dismissed with cost.

7) Points:

1	Whether the accident happened due to the rash and negligent driving of the 1 st respondent ?
2	Whether the petitioners are entitled to get compensation?
3	Who is liable to pay compensation?
4	What is the quantum of the compensation the petitioner are entitled to?

8) During enquiry, 2nd petitioner was examined as P.W.1 and Ex.P1 to Ex.P12 and Ex.P14 to Ex.P.20 were marked through P.W.1. One Tr. Muthiah and Tr.Selvaraj were examined as P.W.2, P.W.3 respectively and no exhibit was marked through P.W.2, P.W.3. And Tr. Lenin, Senior Manager, Canara Bank was examined as P.W.4 and Ex.P13 was marked through P.W.4. On the side of 3rd respondent, Tr.Daniel, the 1st respondent was examined as R.W.1 and no exhibit was marked through R.W.1 and Tmt. Salethammal, Administrative Officer of 3rd respondent's insurance company was examined as R.W.2 and Ex.R1 was marked through R.W.2. On the side of 6th respondent no witness was examined and Ex.R2 was marked on consent. On the side of 1st, 2nd, 7th respondents, no witness was examined and no exhibit was marked.

9) Point No.1,2 and 3:

(i) It is the case of the petitioners that on 20.08.2021, victim Yovan was riding the two wheeler bearing Reg.No. TN 76 H 1786, wearing helmet, on Tirunelveli – Tenkasi main road near Vattalur vilakku from east to west on the left side of road with care and control, observing traffic rules. At that time in the said road, the 4th respondent came in the two wheeler bearing Reg.No.TN 76 BE 1721 belonging to the 5th respondent from north to south and turned towards west. In order to avoid hitting on the said two wheeler, when the victim attempted to apply brake, the 4th respondent's two wheeler hit on the box fitted on the back side Sof the victim's two wheeler and the victim fell down. At that time, in the opposite direction, the 1st respondent drove the Tata Dost vehicle bearing Reg.No. TN 76 P 3312 belonging to the 2nd respondent in a rash and negligent manner and dashed against the victim and the victim sustained grievous injuries on head and all over the body. Immediately, the victim was taken to Tenkasi Govt. Hospital, wherein first treatment was given and after that he was referred to Tirunelveli Govt. Medical College Hospital. But, he died on the way to hospital. The accident happened due to the rash and negligent driving of the 1st respondent and FIR has been registered

against the 1st respondent in Alangulam P.S.Cr.No. 521/2021 u/s 279, 304(A) IPC.

(ii) In order to prove the claim of the petitioners, the 2nd petitioner was examined as P.W.1 and in his proof affidavit, he has stated regarding the manner in which the accident took place. On perusal of his evidence, it is established that he is not the eye witness to the occurrence. And the eye witnesses are examined as P.W.2, P.W.3. And P.W.2 in his proof affidavit has stated regarding the manner in which the accident took place which is extracted hereunder:

கடந்த 20.08.2022 அன்று காலை சுமார் 8.15 மணியளவில் நானும், எங்கள் ஊரில் செல்வராஜ் என்பவரும் வட்டலூர் விலக்கு அருகே நின்று கொண்டிருந்தோம். அப்போது, மேற்படி விபத்தில் இறந்து போன யோவான் டி.என்.76 ஹெச் 1786 என்ற ஹீரோ ஹோண்டா ஸ்பிளண்டர் மோட்டார் சைக்கிளில் ஹெல்மட் அணிந்து கொண்டு திருநெல்வேலி - தென்காசி மெயின் ரோட்டில் வட்டலூர் விலக்கு அருகில் கிழக்கிருந்து மேற்கு நோக்கி ரோட்டின் இடது ஓரமாக மெதுவாகவும், கவனமாகவும் சென்று கொண்டிருக்கும்போது, அதே ரோட்டில் டி.என்.76 பிஇ 1721 என்ற மோட்டார் சைக்கிளை ஓட்டி வந்த நபர் வடக்கிலிருந்து தெற்கு நோக்கி ஓட்டி வந்து மேற்குப் பக்கமாக திருப்பியபோது, மேற்படி யோவான் மேற்படி மோட்டார் சைக்கிளில் மோதி விபத்து ஏற்படாமல் தடுப்பதற்காக மேற்படி மோட்டார் சைக்கிளை திடீரென பிரேக் பிடித்து நிறுத்த முயலும்போது, மேற்படி மோட்டார் சைக்கிளின் பெட்டியில் லேசாக இடித்து நிலை தடுமாறி கீழே விழவும், அதே சமயம், அதே ரோட்டில் டி.என்.76 பி 3312 என்ற டாடா தோஸ்த் வாகனத்தை அதன் ஓட்டுனர் எதிர்திசையில் மேற்கிலிருந்து கிழக்கு நோக்கி அதிவேகமாகவும், அஜாக்கிரதையாகவும், ஆரன் அடிக்காமலும், சாலை விதிகளைப் பின்பற்றாமலும் ஓட்டி வந்து, மேற்படி யோவான் மீது மோதிவிட்டார். இதனால் மேற்படி யோவானுக்கு தலை, மற்றும் பல்வேறு இடங்களில் கொடுங்காயங்கள் ஏற்பட்டது. உடனடியாக நானும், என்னுடன் இருந்த செல்வராஜ் என்பவரும் அங்கிருந்தவர்களின் உதவியுடன், 108 ஆம்புலன்ஸ் மூலம் தென்காசி அரசு மாவட்ட தலைமை மருத்துவமனைக்கு கொண்டு போய் சேர்த்தோம்.

இந்த விபத்திற்கு முழுக்காரணம் மேற்படி டி.என்.76 3312 என்ற டாடா தோஸ்த் வாகனத்தை ஓட்டி வந்த ஓட்டுனரே முழுக்காரணம் ஆவர். விபத்திற்கு யோவானோ, டி.என். 76 பிஇ 1721 என்ற மோட்டார் சைக்கிளின் ஓட்டுனரோ எந்த விதத்திலும் காரணம் இல்லை".

Further P.W.3, another eye witness to the occurrence in his proof affidavit has stated regarding the manner in which the accident took place which is extracted hereunder:

கடந்த 20.08.2022 அன்று காலை சுமார் 8.15 மணியளவில் நானும், எங்கள் ஊரில் முத்தையா என்பவரும் வட்டலூர் விலக்கு அருகே நின்று கொண்டிருந்தோம். அப்போது, மேற்படி விபத்தில் இறந்து போன யோவான் டி.என்.76 ஹெச் 1786 என்ற ஹீரோ ஹோண்டா ஸ்பிளண்டர் மோட்டார் சைக்கிளில் ஹெல்மட் அணிந்து கொண்டு திருநெல்வேலி - தென்காசி மெயின் ரோட்டில் வட்டலூர் விலக்கு அருகில் கிழக்கிருந்து மேற்கு நோக்கி ரோட்டின் இடது ஓரமாக மெதுவாகவும், கவனமாகவும் சென்று கொண்டிருக்கும்போது, அதே ரோட்டில் டி.என்.76 பிஇ 1721 என்ற மோட்டார் சைக்கிளை ஓட்டி வந்த நபர் வடக்கிலிருந்து தெற்கு நோக்கி ஓட்டி வந்து மேற்குப் பக்கமாக திருப்பியபோது, மேற்படி யோவான் மேற்படி மோட்டார் சைக்கிளில் மோதி விபத்து ஏற்படாமல் தடுப்பதற்காக மேற்படி மோட்டார் சைக்கிளை திடீரென பிரேக் பிடித்து நிறுத்த முயலும்போது, மேற்படி மோட்டார் சைக்கிளின் பெட்டியில் லேசாக இடித்து நிலை தடுமாறி கீழே விழவும், அதே சமயம், அதே ரோட்டில் டி.என்.76 பி 3312 என்ற டாடா தோஸ்த் வாகனத்தை அதன் ஓட்டுனர் எதிர்திசையில் மேற்கிலிருந்து கிழக்கு நோக்கி அதிவேகமாகவும், அஜாக்கிரதையாகவும், ஆரன் அடிக்காமலும், சாலை விதிகளைப் பின்பற்றாமலும் ஓட்டி வந்து, மேற்படி யோவான் மீது மோதிவிட்டார். இதனால் மேற்படி யோவானுக்கு தலை, மற்றும் பல்வேறு இடங்களில் கொடுங்காயங்கள் ஏற்பட்டது.”

In this regard, FIR has been registered against the 1st respondent in Alangulam P.S.Cr.No. 521/2021 u/s 279, 304(A)IPC against the 1st respondent on the basis of the complaint given by P.W.1 and the copy of FIR has been marked as Ex.P1. In Ex.P1, it has been stated that P.W.1 heard about the incident through P.W.2, P.W.3 who had taken his son to the Tenkasi G.H. through ambulance. Further, the petitioners have marked the certified copy of M.V.I. report of 2nd, 5th respondents' vehicle and victim's two wheeler as Ex.P14, Ex.P15, Ex.P16 respectively, certified copy of Rough Sketch as Ex.P17, certified copy of charge sheet filed against the 1st respondent by the Alangulam P.S. before the Judicial Magistrate Court, Alangulam as Ex.P18, certified copy of Observation Mahazar as Ex.P20.

(iii) The main contention of the 3rd respondent is that victim did not wear helmet at the time of accident, three vehicles were involved in the alleged accident and so composite negligence principle is to be applied. In this regard, the 1st respondent who has been examined as R.W.1 on the side of 3rd respondent in his evidence has deposed that the negligence is on the part of victim and 4th respondent. But, in his cross examination he has deposed that FIR and charge sheet have been filed against him and he has not taken any steps to quash the criminal proceedings filed against him. Further R.W.1 is an interested witness and except R.W.1 no other witness was examined to prove that negligence is on the part of victim or 4th respondent. At the same time, P.W.2 and P.W.3 have clearly deposed that the accident happened due to the rash and negligent driving of the 1st respondent. Further, P.W.2, P.W.3 have clearly deposed that the victim was wearing helmet at the time of accident. It is seen that even though three vehicles were involved in the accident, the major negligence is on the part of 1st respondent. It is observed that if there was no involvement of vehicle namely Tata Dost bearing Reg.No. TN 76 P 3312 by the 1st respondent, the said collision between the victim's two wheeler and 4th respondent's vehicle would have only resulted in an accident with simple bruises or without any sort of injury. But, the rash and negligent driving of the 1st respondent at the time has turned the said incident into a fatal accident. Hence, the contention of 3rd respondent is unsustainable. From the above records i.e. Ex.P17 Rough Sketch and Ex.P20 Observation Mahazar and from the testimony of P.W.2, P.W.3, it is evident that the accident happened due to the rash and negligent driving of the 1st respondent. Therefore, in the absence of contra evidence, it is concluded that the accident on 20.08.2021 happened due to the rash and negligent driving of the 1st respondent.

(iv) The petitioners' learned counsel has argued that the petitioners are the parents of victim Yovan, therefore they are entitled to get compensation. The respondents did not deny that the petitioners are the legal heirs of victim Yovan.

Therefore, this Tribunal concludes that the petitioners, who are the legal heirs and dependants of the victim are entitled to get compensation.

(v) Regarding liability, it has been decided that the accident happened due to the rash and negligent driving of the 1st respondent. From Ex.R2, copy of insurance policy of the offending vehicle bearing Reg.No. TN 76 P 3312, it is evident that 2nd respondent is the owner of the offending vehicle and the said vehicle was insured with the 3rd respondent for the period from 21.11.2020 to 20.11.2021. The accident happened on 20.08.2021. Thus, the 2nd respondent's vehicle had valid insurance at the relevant period. Therefore, this Tribunal concludes that the insurer of the 2nd respondent's vehicle, i.e., the 3rd respondent is liable to pay compensation to the petitioners. Accordingly Point No. 1,2 and 3 are answered.

10) Point No.4: (i) The petitioner's learned counsel has argued that at the time of accident the victim was aged 23 years and he was working as Service Advisor Trainee in Adhi Cars Private Limited, Tirunelveli through which he earned Rs.15,000/- per month and also running a start up company on his own in the name of Yehovah Jireh Enterprises, through which he earned Rs. 25,000/- and totally the victim earned Rs.40,000/- per month and therefore the compensation is to be fixed considering the above facts. In order to substantiate the occupation and income of the victim, the petitioners have marked the copy of the salary certificate, copy of Registration Certificate of the victim's concern, bank statement as Ex.P11 to Ex.P13 respectively and income and expenditure bills of the victim's concern as Ex.P19. From Ex.P11, it is evident that at the time of accident, the victim was working as a Trainee Service Advisor in Aadhi Cars Private Limited and earned a gross salary Rs.12,000/- in the month of July 2021 and from Ex.P12 and Ex.P19 it is evident that the victim has started a firm in the name of Yehovah Jireh Enterprises in the month of April 2021 and was doing his business. From the above records it is established that the petitioner was working in a private company and was also doing business on his own. From Ex.P11, the date of birth of victim is

09.12.1997, the accident happened on 20.08.2021 and the victim was 23 years old at the time of accident. It is to be noted that the victim was a Diploma holder and his business was only at startup stage. There is no substantial proof to establish that the victim earned a sum of Rs.25,000/- every month from the said business. Any how, it is observed that the victim had the talent and responsibility to do some business at his young age. Therefore, considering the age of victim, job of the victim, his business, year of accident(2021), facts of the case, this Tribunal is inclined to fix Rs. 20,000/- as notional income of the victim.

(ii) As per the **decision in Smt. Sarla Varma and Others – Vs – Delhi Transport Corporation and another reported in (2009(2) TNMAC 1 (SC)**, for the age of 23 years, the relevant Multiplier is 18 and **as per the decision in National Insurance Company Ltd., Vs Pranay Sethi Reported in 2017(2) TNMAC 609(SC)** 40% of income would be added towards future prospects and 1/2 of the income would be deducted towards personal expenses, since the victim bachelor at the time of accident Accordingly, the loss of dependency is calculated as follows:

Notional Income	Rs.20 ,000/-
Add: Future Prospects at 40%	Rs.20,000/- + Rs.8,000/- = Rs.28,000/-
Deduct: 1/2 of the Income.	Rs.28,000/- - Rs.14,000/-
Monthly Income	Rs.14,000 /-
Loss of Dependency	Rs. 14,000/- x 18 x 12 = Rs. 30,24,000/-

iii) As per the decision in **National Insurance Company Ltd., Vs Pranay Sethi Reported in 2017(2) TNMAC 609(SC)** a sum of Rs.15,000/- is fixed towards loss of estate and a sum of Rs.15,000/- is fixed towards Funeral Expenses and a sum of Rs. 40,000/- is fixed towards filial consortium to the each petitioner. And the compensation is fixed as below:

Description of Head	Amount in Rs.
Loss of Dependency	30,24,000/-
Loss of Estate	15,000/-
Funeral Expenses	15,000/-
Filial Consortium to the petitioners	80,000/-
Total	31,34,000/-

iv) In total, the petitioners are entitled to get a sum of **Rs.31,34,000/-(Rupees Thirty One Lakhs Thirty Four Thousand Only)** as just compensation. Out of this amount, the petitioners are entitled to get a sum of Rs.15,67,000/- each. Thus Point No.4 is answered.

11) In the result,

(i) This petition is partly allowed with proportionate costs against the 1st to 3rd respondents and dismissed against the 4th to 7th respondents.

(ii) The petitioners are entitled for the just compensation of **Rs.31,34,000/-(Rupees Thirty One Lakhs Thirty Four Thousand Only)** payable with interest at 7.5% per annum from the date of filing of the petition i.e from 11.01.2022 till the date of realization with costs. Out of this amount, the petitioners are entitled to get a sum of Rs.15,67,000/- each.

(iii) The 3rd respondent is directed to deposit the said amount to the credit of the Bank account of the **Additional District Judge (MACT), Tenkasi in the Account No.6551027090** maintained at **Indian Bank, Tenkasi, IFSC Code No.IDIB000T009, V.Collect No. V00602** directly by NEFT or RTGS mode within a period of thirty days from the date of this order and intimate the said deposit details to this Tribunal.

(iv) The compensation amount of the petitioners shall be transferred to the petitioners' Bank account on filing of appropriate petition before this Tribunal.

(v) In view of the direction issued by the Hon'ble Division Bench of the High Court of Madras in C.M.A. No. 428 of 2016 dated 11.03.2016, the petitioners are hereby directed to furnish copy of Adhar card, attested copy of the first page of Bank Pass Book and self attested copies of PAN Card to this Tribunal within a period of one month.

(vi) Advocate fee is fixed as **Rs.39,840/-**.

(vii) The Court fee paid by the petitioner along with the petition is **20/-**. The Court fee for the award amount is **Rs.30,712.50**. The deficit court fee of **Rs.30,690.50** shall be paid by the petitioners within two weeks from the date of order.

(viii) The petitioners shall not be entitled to withdraw the sum deposited pursuant to the award unless balance of Court fee is deposited as directed by this Tribunal.

(ix) The 3rd Respondent is also directed to pay the Advocate fees, Court fees amount and the cost list amount to the petitioner and Advocate fee, Court fee amount to the petitioners.(Cost Rs.86/-).

(x) As per the Order of Hon'ble Madras High Court in Tr.Cmp.Nos.264 to 281 of 2020 M/s. Cholamandalam Ms General Insurance Company Ltd., Vs. Ayyanar and others, dated 11.5.2020, no separate Decree passed.

Cost

1.Vakkalat	Rs. 10.00
2.Stamp on Petition	Rs. 20.00
3.Batta memo	Rs. 56.00

Total	----- <u>Rs. 86.00</u>
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Dictated to the Steno-Typist, directly typed by her in the computer, corrected and pronounced by me in the open court on this, the 22nd Day of April 2026.

Motor Accident Claims Tribunal Authority,
Additional District Judge,
Tenkasi.

Petitioners' Side Witnesses:

- P.W.1 Tr. Moses (2nd petitioner)
P.W.2 Tr. Muthiah
P.W.3 Tr. Selvaraj
P.W.4 Tr. Lenin, Senior Manager, Canara Bank, Alangulam

Petitioners' Side Exhibits:

Ex.P1	Copy of FIR in Alangulam P.S.Cr.No. 521/2021
Ex.P2	Copy of postmortem certificate
Ex.P3	Copy of R.C.Book of the vehicle TN 76 P 3312
Ex.P4	Copy of insurance policy of the vehicle TN 76 P 3312
Ex.P5	Copy of driving license of the rider of the vehicle TN 76 P 3312
Ex.P6	Copy of R.C.Book of the vehicle TN 72 BE 1721
Ex.P7	Copy of insurance policy of the vehicle TN 72 BE 1721
Ex.P8	Copy of driving license of the rider of the vehicle TN 72 BE 1721
Ex.P9	Copy of R.C.Book of the vehicle TN 76 AH 1786
Ex.P10	Copy of insurance policy of the vehicle TN 76 AH 1786
Ex.P11	Salary certificate of victim(computer generated statement)
Ex.P12	Copy of registration certificate of Yehovah Jireh Enterprises
Ex.P13	Bank Statement of victim
Ex.P14	Certified copy of M.V.I. Report of the vehicle TN 76 P 3312
Ex.P15	Certified copy of M.V.I. Report of the vehicle TN 72 BE 1721
Ex.P16	Certified copy of M.V.I. Report of the vehicle TN 76 AH 1786
Ex.P17	Certified copy of Rough Sketch
Ex.P18	Certified copy of Charge Sheet
Ex.P19	Income and Expenditure particulars of Yehovah Jireh Enterprises
Ex.P20	Copy of Observation Mahazar

3rd Respondent's side witnesses:

- R.W.1 Tr. Daniel (1st respondent)
R.W.2 Tmt. Salethammal, Administrative Officer, National Insurance Company Limited, Tirunelveli.

3rd Respondent's side Exhibits:

- Ex.R1 Certified true copy of insurance policy of the vehicle TN 76 P 3312

6th Respondent's side Witnesses: Nil

6th Respondent's side Exhibits:

Ex.R2 Copy of charge sheet in Alangulam P.S.Cr.No. 521/2021(marked on consent)

1st, 2nd and 7th Respondents' side Witnesses, Exhibits: Nil

Motor Accident Claims Tribunal Authority,
Additional District Judge,
Tenkasi.

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Additional District court (FTC),
Tenkasi
M.C.O.P.Nos. 9/2022
Dt. 22.04.2026
Order
Draft/Fair