

**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.**

**Tuesday, the 15<sup>th</sup> Day of April 2026**

**M.C.O.P. No. 412/2022**

**(CNR No.TNTS01-001252-2022)**

1. Kasthuri, Age 43, W/o. Late. Sundaraiah, residing at No. 123, South Street, Erumankulam, Vadakkupudur, Tenkasi District 627 756.
2. Vasanth, Age 22, S/o. Late. Sundaraiah, residing at No. 123, South Street, Erumankulam, Vadakkupudur, Tenkasi District 627 756.
3. Sowmiya, Age 20, D/o. Late. Sundaraiah, residing at No. 123, South Street, Erumankulam, Vadakkupudur, Tenkasi District 627 756.
4. Periyasamy, Age 72, S/o. Late.Sundaraiah Devar, residing at No. 123, South Street, Erumankulam, Vadakkupudur, Tenkasi District 627 756.**(Died)**

....Petitioners

/Vs/

1. Karthick, S/o. Rasamani, driver of Innova car bearing Reg.No. TN 02 AH 0697, residing at Uchipatti, Kappaloor, Madurai – 625 008.
2. Sathish Kumar, S/o.Ganesan, owner of Innova car bearing Reg.No. TN 02 AH 0697, residing at 46, WEP Church Road, Iyer Lance, Ponnagaram bradeway, Madurai 625 016.
3. National Insurance Co. Ltd., having their officer at 1<sup>st</sup> floor, 6, West Masi Street, Madurai 625 001.
4. TATA AIG Insurance Co. Ltd., having their office at Peninsula Business Park, Tower A,15th Floor, G.K. Marg, Lower Parel, Mumbai – 400 013.

....Respondents

(Petition amended as per order in I.A.No.5/2024 dt, 21.02.2024)

This Claim Petition came before this Tribunal for final hearing on 08.04.2026 in the presence of Thiru.K. Esakkidurai, Advocate for the petitioners and Thiru.C.Ayyappan, Advocate for 3<sup>rd</sup> respondent, Thiru. A.Nagarajan, Advocate for 4<sup>th</sup> respondent and 1<sup>st</sup>, 2<sup>nd</sup> respondents called absent and 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 has been filed by the petitioners u/s 166 and 140 of the Motor Vehicles Act 59/1988 claiming compensation of Rs.2,00,00,000/- for the death of one Sundaraiah, husband of 1<sup>st</sup> petitioner, father of 2<sup>nd</sup>, 3<sup>rd</sup> petitioners and son of 4<sup>th</sup> petitioner, who died in a road accident that took place on 12.10.2022.

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

On 12.10.2022 at about 5.20 P.M., victim Sundaraiah was riding his two wheeler bearing Reg.No. TN 79 H 7428 wearing helmet on South to North on Kollam to Thirumangalam main road near PunnaiyapuramVamsaviruthi Nagar Welcome Hotel with care and control, observing traffic rules. At that time, the 1<sup>st</sup> respondent drove the Innova Car bearing Reg.No. TN 02 AH 0697 belonging to the 2<sup>nd</sup> respondent in the same direction in a rash and negligent manner and dashed against a two wheeler bearing Reg.No. TN 72 G 1515 and then hit on the rear side of victim's two wheeler and further hit another two wheeler bearing Reg.No. TN 76 AQ 1639 and caused the accident. In the accident, the victim was thrown away and sustained severe injuries and was taken to Puliyangudi G.H., wherein first aid treatment was given. Then he was referred to Govt. Hospital, Tenkasi and further referred to Tirunelveli Medical College Hospital and was admitted as inpatient and treatment was given. But, he died on 13.10.2022. The accident happened due to the rash and negligent driving of the 1<sup>st</sup> respondent and FIR has been registered in Chokkampatti P.S.Cr.No. 254/2022 u/s 279, 337, 338, 304(2), 185 IPC against the

1<sup>st</sup> respondent. 3<sup>rd</sup> respondent is the insurer of the 2<sup>nd</sup> respondent's car and 4<sup>th</sup> respondent is the insurer of the victim's two wheeler. The 1<sup>st</sup> petitioner the wife of victim, 2<sup>nd</sup>, 3<sup>rd</sup> petitioners are son and daughter of victim and 4<sup>th</sup> petitioner is father of victim. Therefore, the respondent are liable to pay compensation to the petitioners. Hence, the petitioners have filed this petition to claim compensation against the respondents.

During the pendency of the petition, 4<sup>th</sup> petitioner died.

**3) Briefly stated averments in the Counter Statement filed by the 3<sup>rd</sup> respondent are as follows:**

The Claim petition filed by the petitioners is not maintainable either in Law or on facts. The accident in question did not take place in the manner as alleged by the petitioners in the petition. At the time of accident, the 1<sup>st</sup> respondent was not holding valid driving license, without badge endorsement and also he was in drunken state. Further, at the time of accident, the deceased rode his two wheeler without valid driving license and his driving license lapsed on 08.02.2022 which is gross violation of M.V.Act and rules. Hence, the 3<sup>rd</sup> respondent is not liable to pay compensation to the petitioners. The compensation amount claimed under various heads is highly excessive and exorbitant. Hence, this petition is to be dismissed with cost.

**4) Briefly stated averments in the Counter Statement filed by the 4<sup>th</sup> respondent are as follows:**

The Claim petition filed by the petitioners is not maintainable either in Law or on facts. The accident happened due to the rash and negligent driving of the 1<sup>st</sup> respondent. On the sole ground this petition is liable to be dismissed against the 4<sup>th</sup> respondent. The deceased had no valid driving license at the time of accident i.e. on 12.10.2022 and his driving license lapsed on 08.02.2022. Besides that as per new amendment of M.V.Act, if the driver of the insured vehicle had no driving license, insurance company i.e. insurer is not liable to pay any compensation to the injured

or deceased, if the accident occurred on or after 01.04.2022. Hence, on this ground also, the petition is liable to be dismissed. The compensation amount claimed under various heads is highly excessive and exorbitant. Hence, this petition is to be dismissed with cost.

**5) Points:**

1	Whether the accident happened due to the rash and negligent driving of the 1 <sup>st</sup> 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 petitioners are entitled to?

6) On the side of the petitioners, 2<sup>nd</sup> petitioner was examined as P.W.1 and Ex.P1 to Ex.P7 were marked through P.W.1. One Arunkumar was examined as P.W.2 and Tr. Samithurai, S.S.I. of Police, Sendamaram P.S. was examined P.W.3 and Ex.P8 series was marked through P.W.3. On the side of 3<sup>rd</sup> respondent, Tr. Varatharaja Perumal, Senior Assistant of 3<sup>rd</sup> respondent's insurance company was examined as R.W.1 and Ex.R1, Ex.R2 were marked through R.W.1. On the side of 4<sup>th</sup> respondent, no witness was examined and no exhibit was marked.

**7) Point No.1,2 and 3:**

(i) It is the case of the petitioners that on 12.10.2022 at about 5.20 P.M., victim Sundaraiah was riding his two wheeler bearing Reg.No. TN 79 H 7428 wearing helmet on South to North on Kollam to Thirumangalam main road near Punnaiyapuram Vamsaviruthi Nagar Welcome Hotel with care and control, observing traffic rules. At that time, the 1<sup>st</sup> respondent drove the Innova Car bearing Reg.No. TN 02 AH 0697 belonging to the 2<sup>nd</sup> respondent in the same direction in a rash and negligent manner and dashed against a two wheeler bearing Reg.No. TN 72 G 1515 and then hit on the rear side of victim's two wheeler and

further hit another two wheeler bearing Reg.No. TN 76 AQ 1639 and caused the accident. In the accident, the victim was thrown away and sustained severe injuries and was taken to Puliyangudi G.H, wherein first aid treatment was given. Then he was referred to Govt. Hospital, Tenkasi and further referred to Tirunelveli Medical College Hospital and was admitted as inpatient and treatment was given. But, he died on 13.10.2022. The accident happened due to the rash and negligent driving of the 1<sup>st</sup> respondent and FIR has been registered in Chokkampatti P.S.Cr.No. 254/2022 u/s 279, 337, 338, 304(2), 185 IPC against the 1<sup>st</sup> respondent.

(ii) To prove the case of petitioners, the 2<sup>nd</sup> petitioner was examined as P.W.1 and he has stated in his proof affidavit regarding the job of victim, his relationship with victim and the manner in which the accident took place. But, he is not the eye witness to the occurrence. The eye witness was examined as P.W.2 and in his proof affidavit P.W. 2 has stated regarding the manner in which the accident took place, which is extracted hereunder:

"கடந்த 12.10.2022 அன்று மாலை சுமார் 5.20 மணியளவில் நான் கொல்லம் - திருமங்கலம் மெயின் ரோட்டில் புன்னையாபுரம் வம்சவிருத்தி நகர் வெல்கம் ஹோட்டல் அருகில் உள்ள டீ கடையில் டீ அருந்திக் கொண்டிருந்தேன். அப்போது சுந்தரையா என்பவர் டி.என்.79 ஹெச் 7248 என்ற மோட்டர் சைக்கிளில் மேற்படி ரோட்டில் தெற்கிலிருந்து வடக்கு நோக்கி ஹெல்மெட் அணிந்து கொண்டு நிதானமாகவும், கவனமாகவும், சாலை விதிகளைப் பின்பற்றியும் ஓட்டிச் சென்று கொண்டிருந்தார். அப்போது 1ம் எதிர்மனுதாரர், 2ம் எதிர்மனுதாரருக்கு பாத்தியப்பட்ட டி.என்.02 ஏஹெச் 0697 என்ற இனோவா காரை அதே ரோட்டில் அதே திசையில் அதிவேகமாகவும், அஜாக்கிரதையாகவும் ஓட்டி வந்து டி.என்.72 ஜி 1515 என்ற மோட்டர் சைக்கிளில் மோதிவிட்டு, அதன் பின்னர் சுந்தரையா ஓட்டிச் சென்ற டி.என். 70 ஹெச் 7428 என்ற மோட்டார் சைக்கிளில் மோதிவிட்டு, அதன் பின்னர் டி.என். 76 ஏகியூ 1639 என்ற மோட்டார் சைக்கிளில் மோதிவிட்டார். இதனால் சுந்தரையாவும், டி.என்.72 ஜி 1515 என்ற மோட்டார் சைக்கிளை ஓட்டிச் சென்ற மருதுபாண்டியும், 76 ஏகியூ 1639 என்ற மோட்டார் சைக்கிளை

ஓட்டிச் சென்ற அரவிந்தனும் படுகாயம் அடைந்தனர்.

இந்த விபத்து 1ம் எதிர்மனுதாரரின் கவனக்குறைவினால்தான் ஏற்பட்டது.”

In this regard, FIR has been registered against the 1<sup>st</sup> respondent in Chokkampatti P.S. Cr.No. 254/2022 u/s 279, 337, 338, 304(2), 185 IPC against the 1<sup>st</sup> respondent on the basis of the complaint given by one Maruthupandi, one of the injured in the said accident and the copy of the FIR has been marked as Ex.P1. Further, the petitioners have marked the copy of charge sheet filed against the 1<sup>st</sup> respondent before Judicial Magistrate Court, Tenkasi as Ex.P7. On perusal of the above records and the testimony of P.W.2, it transpires that the accident happened due to the rash and negligent driving of the 1<sup>st</sup> respondent. Further, 1<sup>st</sup> and 2<sup>nd</sup> respondents, i.e. the driver and owner of the offending car respectively remained exparte in this petition. Therefore, adverse inference is drawn against the 1<sup>st</sup> and 2<sup>nd</sup> respondents. Hence, in the absence of contra evidence, it is concluded that, the accident on 12.10.2022 happened due to the rash and negligent driving of the 1<sup>st</sup> respondent.

(iii) The 3<sup>rd</sup> and 4<sup>th</sup> respondent's learned counsels has argued that the alleged accident happened on 12.10.2022, but driving license of the victim lapsed on 08.02.2022 and therefore the victim was not holding valid driving license at the time of accident and therefore, the respondents are not liable to pay compensation to the petitioners. In order to substantiate this contention, the 3<sup>rd</sup> respondent has examined Senior Assistant of the 3<sup>rd</sup> respondent's insurance company as R.W.1 and marked the copy of driving license of victim Sundaraiah as Ex.R2. On perusal of Ex.R2, it is evident that the DL of the victim lapsed on 08.02.2022. Regarding this fact, P.W.1 in his cross examination has deposed that his father had driving license and he does not know whether it was renewed and at the time of accident his father lost his driving license and he has not his father's driving license at present. Even though the accident happened due to the rash and negligent driving of the 1<sup>st</sup> respondent, plying vehicle on road without valid driving license is also violation of M.V.Act and rules. But, the respondents have failed to examine the officials of

Road Transport Office to prove that the victim had not renewed his driving license. Further, there is no sufficient evidence on record indicating negligence on part of deceased. Therefore, this Tribunal is not inclined to deduct any amount towards contributory negligence in the given circumstance of this case.

(iv) The petitioners have marked the copy of the Legal Heir Certificate(compared with the original) as Ex.P6. From this certificate, it is established that the petitioners are the legal heirs of the victim. During the pendency of the petition, 4<sup>th</sup> petitioner, father of the victim died. Therefore, this Tribunal concludes that the 1<sup>st</sup> to 3<sup>rd</sup> petitioners i.,e. wife, son and daughter of the victim respectively are entitled to get compensation.

(v) Regarding liability, the 3<sup>rd</sup> respondent's learned counsel has argued that the 1<sup>st</sup> respondent had no valid driving license, badge endorsement at the time of accident thereby 1<sup>st</sup> and 2<sup>nd</sup> respondent violated the M.V.Act and rules as well as conditions of the insurance policy, therefore, 3<sup>rd</sup> respondent is not liable to pay compensation to the petitioners. But, to substantiate the said contention, no oral or documentary evidence adduced on the side of 3<sup>rd</sup> respondent. A perusal of case records would show that the 1<sup>st</sup> respondent had valid LMV driving license which is sufficient to ply ordinary cars either manual gear or automatic. It is to be noted that Innova vehicle is not a goods vehicle which requires special skill of driving. Hence, the said contention is unsustainable. As discussed earlier, the accident happened due to the rash and negligent driving of the 1<sup>st</sup> respondent and 2<sup>nd</sup> respondent is the owner of the offending car. The petitioners have marked the copy of Insurance Policy of the offending car as Ex.P3. From Ex.P3, it is evident that the offending car bearing Reg.No.TN 02 AH 0697 was insured with the 3<sup>rd</sup>respondent on the date of accident and the policy was valid from 01.03.2022 to 28.02.2023. The accident happened on 12.10.2022. Therefore, the Insurance Policy was on force on the date of accident. Hence, the insurer of the 2<sup>nd</sup> respondent's vehicle, i.e., the 3<sup>rd</sup> Respondent is liable to pay compensation to the petitioners. Accordingly

Point No. 1,2 and 3 are answered.

**8) Point No.4: (i)** The petitioner's learned counsel has argued that at the time of occurrence, the victim was aged 50 years, he was working as Head Constable in Senthamaram P.S. and drawn a monthly salary of Rs.56,992/- and also earned Rs.25,000/- through agriculture and Rs.25,000/- through uniform service guide and therefore the compensation is to be fixed accordingly. In order to substantiate the said contention, the petitioners have examined Tr. Samithurai, S.S.I. of Police, Sendamaram as P.W.3 and marked the salary particulars of victim Sundaraiah as Ex.P8 series and also marked the copy of pay slip(August 2022) of victim Sundariah as Ex.P5. The 3<sup>rd</sup> respondent's learned counsel has argued that the victim's son got employment on compassionate ground and the wife of victim receiving family pension and therefore the petitioners are not entitled to get compensation. As per Service Rules the victim's son got compassionate appointment and as per Government Orders, the wife of victim is receiving family pension. In this regard, our Hon'ble High Court in 2016(1) TNMAC 527, has held that grant of death benefit and exgratia payments or compassionate appointment of job to family members are not a reason to deny compensation to the family of victim. Hence the argument of 3<sup>rd</sup> respondent cannot be accepted.

**(ii)** Regarding income of victim, P.W.3 in his evidence has deposed that the victim was drawn a basic pay of Rs.40,800/- at the time of accident and totally his gross salary was Rs.56,992/- and Ex.P5, the copy of pay slip of victim was issued from their office. From Ex.P5 and Ex.P8, it is evident that the victim had drawn a gross salary of Rs. 56,992/- including fuel allowance, risk allowance, special allowance, washing allowance, dearness allowance and medical allowance in the month of August 2022. Even though gross salary is to be considered for fixing the monthly income of the victim, Hon'ble Madras High Court in the case of Managing Director, TNSTC Ltd., Salem Vs. Bhuvaneshwari reported in 2025(1) TN MAC 161(DB) has held that, allowances such as food allowance, travel allowance etc.,

which are intended to meet the expenses, the employee would normally incur in the course of his employment shall not be included while computing income. Hence, as per the above Judgment, after deducting the fuel allowance of Rs.370/-, risk allowance of Rs. 1,000/-, special allowance of Rs.150/-, washing allowance of Rs.500/-, totally a sum of Rs.2020/-, this Tribunal fixes the monthly income of victim as Rs.54,972/-(Rs.56,992/- -Rs. 2,020/-=Rs.54,972/-)for computing compensation. It is further observed that the petitioners have not let in any evidence to show that the victim earned income from agriculture or any other source, as averred.

(iii) From Ex.P8 and from Ex.R2 copy of driving license, the date of birth of victim is 09.02.1972. The date of accident is 12.10.2022. Therefore, the victim was 50 years old at the time of occurrence. 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 50 years, the relevant Multiplier is 13 and **as per the decision in National Insurance Company Ltd., Vs Pranay Sethi Reported in 2017(2) TNMAC 609(SC)**, since the victim was a Govt. employee, 15% of his income would be added towards future prospectus and 1/3rd of the income would be deducted towards personal expenses, since the victim had three dependants at the time of accident. While calculating compensation, the tax amount which has to be paid by the employee has to be deducted in accordance with the prevailing tax slab of that particular financial year. Accordingly the the annual income of the victim after deducting income tax is as follows:

Monthly Salary of the victim	-	Rs. 54,972/-
<b>Add:</b> Future Prospects @ 15%	-	<u>Rs. 8,246/-</u>
	-	Rs. 63,218/-
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<b>Annual Income( Rs. 63,218/- x 12)</b>	-	<b><u>Rs.7,58,616/-</u></b>

**Income Tax Slab for the Assessment Year 2022 – 2023:**

Upto Rs.2,50,000/-	--
Rs.2,50,000/- to Rs.5,00,000/-(5%) (Rs.2,50,000/- x 5%)	Rs. 12,500/-
Rs.5,00,000/- to Rs. 10,00,000/-(20%) (Rs. 7,58,616/- Rs.5,00,000 = Rs.2,58,616/-) ( Rs. 2,58,616 x 20%)	<u>Rs. 51,723/-</u>
<b>Add:</b> Health Aid Education Cess @ 4% of the Tax amount	<u>Rs. 64,223/-</u> <u>Rs. 2,569/-</u>
Total Tax Payable	<u>Rs. 66,792/-</u>
Annual Income of the victim after deducting Income Tax (Rs. 7,58,616/- – Rs.66,792/-)	Rs. 6,91,824/-
<b>Deduct:</b> 1/3rd towards Personal Expenses	<u>Rs. 2,30,608/-</u> <u>Rs.4,61,216/-</u>

On computation, **Loss of Dependency = Rs. 4,61,216/- x 13 =Rs. 59,95,808/-**

**iv) As per the decision in National Insurance Company Ltd., Vs Pranay Sethi Reported in 2017(2) TNMAC 609(SC)**, this Tribunal is inclined to fix Rs.15,000/- towards loss of estate, a sum of Rs.15,000/- towards Funeral Expenses , a sum of Rs.40,000/- fixed towards loss of spousal consortium to 1<sup>st</sup> petitioner and a sum of Rs.40,000/- fixed towards parental consortium to the 2<sup>nd</sup> and 3<sup>rd</sup> petitioners each. And the compensation is fixed as below:

Description	Amount Awarded in Rs.
Loss of Dependency	59,95,808/-
Loss of Estate	15,000/-
Funeral Expenses	15,000/-
Spousal consortium to the 1 <sup>st</sup> petitioner	40,000/-
Parental consortium to the 2 <sup>nd</sup> and 3 <sup>rd</sup> petitioners	80,000/-
Total compensation	61,45,808/- (Rounded off to Rs. 61,45,810/-)

v) In total, the petitioners are entitled to get a sum of **Rs.61,45,810/-(Rupees Sixty One Lakhs Forty Five Thousand Eight Hundred and Ten Only)** as just compensation. Out of this amount, the 1<sup>st</sup> petitioner is entitled to get a sum of Rs.36,45,810/- and 2<sup>nd</sup>, 3<sup>rd</sup> petitioners are entitled to get a sum of Rs.12,50,000/- each. Thus Point No.4 is answered.

9) In the result,

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

(ii) The petitioners are entitled for the just compensation of **Rs.61,45,810/-(Rupees Sixty One Lakhs Forty Five Thousand Eight Hundred and Ten Only)** payable with interest at 7.5% per annum from the date of filing of the petition i.e from 01.12.2022 till the date of realization with costs.

(iii) Out of this amount, the 1<sup>st</sup> petitioner is entitled to get a sum of Rs.36,45,810/- and 2<sup>nd</sup>, 3<sup>rd</sup> petitioners are entitled to get a sum of Rs.12,50,000/- each.

(iv) The 3<sup>rd</sup> 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.

(v) The compensation amount of the petitioners shall be deposited in anyone of the Nationalized Bank for a period of three years. Thereafter, the compensation amount shall be transferred to the Petitioners' Bank account

(vi) 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.

(vii) Advocate fee is fixed as **Rs.69,958/-**.

(viii) The Court fee paid along with the petition is 20/-. The Court fee for the award amount is **Rs.60,830.50** The deficit court fee of **Rs.60,830.50** shall be paid by the petitioners within two weeks from the date of order.

(ix) 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.

(x) The 3<sup>rd</sup> respondent is also directed to pay the Advocate fees, Court fees amount and the cost list amount to the petitioners. (Cost fixed as Rs.62/-).

(xi) 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. 32.00
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Total	Rs. 62.00
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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 15<sup>th</sup> Day of April 2026.

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

**Petitioners' Side Witnesses:**

P.W.1 Tr. Vasanth (2<sup>nd</sup> petitioner)

P.W.2 Tr. Arunkumar

P.W.3 Tr. Samythurai, S.S.I. of Police, Sendamaram P.S.

**Petitioners' Side Exhibits:**

Ex.P1	12.10.2022	Copy of Chokkampatti P.S.Cr.No. 254/2022
Ex.P2	13.10.2022	Copy of Postmortem Certificate
Ex.P3	--	Copy of insurance policy of the Innova Car bearing Reg.No. TN 02 AH 0697

Ex.P4	--	Copy of insurance policy of the victim's two wheeler bearing Reg.No. TN 79 H 7428
Ex.P5	--	Copy of pay slip of victim
Ex.P6	31.10.2022	Copy of legal heir certificate (compared with the original)
Ex.P7	12.10.2022	Copy of charge sheet
Ex.P8 series	--	Authorisation letter, salary particulars of victim

**3<sup>rd</sup> Respondent's side Witnesses:**

R.W.1 Tr. Varatharaja Perumal, Senior Assistant, National Insurance Company Ltd., Tirunelveli.

**3<sup>rd</sup> Respondent's side Exhibits:**

Ex.R1 Certified true copy of insurance policy of the vehicle TN 02 AH 0697  
Ex.R2 Copy of driving license of victim Sundaraiah

**4<sup>th</sup> Respondent's side Witnesses, Exhibits: Nil**

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

Additional District court  
(FTC), Tenkasi  
M.C.O.P.No. 412/2022  
Dt.15.04.2026  
Order  
Draft/Fair