

**BEFORE THE MOTOR ACCIDENT CLAIMS TRIBUNAL,
SPECIAL SUBORDINATE JUDGE, TIRUPATTUR.**

**Present: Tmt.J.Nagalakshmi @ Vijayarani,B.A.,B.L.,
Motor Accident claims Tribunal Authority,
Special Subordinate Judge(FAC), Tirupattur.**

Friday, the 24th day of April 2026

**M.C.O.P.No.168/2018, CNR.NO.TNTU04-000200-2018
(Old MCOP No. 219/2018 on the file of III ADJ , Tirupathur)**

A.Narendiran, (23)
S/o. K.Anandan,
No.63/221, Asiriyar Nagar,
Pachal Village,
Tirupattur Taluk,
Vellore District,
Now Tirupathur District.

..... Petitioner in MCOP No.168/2018

/vs/

1. S. Prabu Rajan,
S/o. Selvakumar,
No.6, Ramasamy Nagar, Sandoor Kuppam,
Madhakaduppu Via,
Ambur Taluk,
Vellore District – 635 802.

2. The General Manager,
ICICI Lombard General Insurance Co. Ltd.,
Arihant Plaza No. 84 & 85,
1st Floor, Wall Tax Road, Parrys corner,
Chennai – 600 003.

..... Respondents in MCOP No.168/2018

The petition filed on 26.04.2018 on the file and came up for final hearing in the presence of Thiru.R. Nithiyanandam, B.Sc., B.L., P.G.D.P.M., learned counsel for the petitioner and Thiru.N.S.Surendirakumar, M.A., B.L., learned counsel for the 1st respondent, and Tmt. K.Nirupama, B.A.,M.L., learned counsel for the 2nd respondent, and heard both side arguments, perusing case records and having stood for consideration till this day, this tribunal passed the following:-

M.C.O.P.No.170/2018, CNR.NO.TNTU04-000202-2018
(Old MCOP No. 221/2018 on the file of III ADJ , Tirupathur)

K.Anandan, (56),
 S/o.Late.Kotteeswaran,
 No.63/221, Asriyar Nagar,
 Pachal Village,
 Tirupathur Taluk,
 Vellore District.
 Now Tirupathur District.

..... Petitioner in MCOP No.170/2018

/vs/

1. S. Prabu Rajan,
 S/o. Selvakumar,
 No.6, Ramasamy Nagar, Sandoor Kuppam,
 Madhakaduppu Via,
 Ambur Taluk,
 Vellore District – 635 802.

2. The General Manager,
 ICICI Lombard General Insurance Co., Ltd.,
 Arihant Plaza No. 84 & 85,
 1st floor, Wall Tax Road, Parrys corner,
 Chennai – 600 003.

..... Respondents in MCOP No.170/2018

The petition filed on 26.04.2018 on the file and came up for final hearing in the presence of Thiru.R. Nithiyanandam, B.Sc., B.L., P.G.D.P.M., learned counsel for the petitioner and Thiru.N.S.Surendirakumar, M.A., B.L., learned counsel for the 1st respondent, and Tmt. K.Nirupama, B.A.,M.L., learned counsel for the 2nd respondent, and heard both side arguments, perusing case records and having stood for consideration till this day, this tribunal passed the following:-

M.C.O.P.No.171/2018, CNR.NO.TNTU04-000205-2018
(Old MCOP No. 222/2018 on the file of III ADJ , Tirupathur)

Bagavathy, (51),
W/o. Anandan,
No.63/221, Asiriyar Nagar,
Pachal Village,
Tirupathur Taluk,
Vellore District.
Now Tirupathur District.

..... Petitioner in MCOP No.171/2018

/vs/

1. S. Prabu Rajan,
S/o. Selvakumar,
No.6, Ramasamy Nagar, Sandoor Kuppam,
Madhakaduppu Via,
Ambur Taluk,
Vellore District – 635 802.

2. The General Manager,
ICICI Lombard General Insurance Co., Ltd.,
Arihant Plaza No. 84 & 85,
1st floor, Wall Tax Road, Parrys corner,
Chennai – 600 003.

..... Respondents in MCOP No.171/2018

The petition filed on 26.04.2018 on the file and came up for final hearing in the presence of Thiru.R. Nithiyanandam, B.Sc., B.L., P.G.D.P.M., learned counsel for the petitioner and Thiru.N.S.Surendirakumar, M.A., B.L., learned counsel for the 1st respondent, and Tmt. K.Nirupama, B.A.,M.L., learned counsel for the 2nd respondent, and heard both side arguments, perusing case records and having stood for consideration till this day, this tribunal passed the following:-

COMMON ORDER

These three claim petitions were filed under section 166 of the Motor Vehicles Act claiming compensation from the respondents for the injuries caused due to the accident and three persons affected in the same accident and hence all petitions were clubbed together and tried jointly as per the order passed in Memo dated 27.11.2024.

1.The averments contained in the petition as follows:

On 02.07.2017 at about 10.45 P.M. while the petitioner's son was driving the car bearing Reg.No. TN 83 V 9608 in Ambur to Vaniyambadi national highway, opposite to Minnur Mosque observing the traffic rules. At that time a motor cycle bearing Reg.No. TN 83 Y 3874 came at Ambur – Vaniyambadi national highway proceeding from west to east direction in a rash and negligent manner without following any traffic rules and without blowing horn, head light, indicator or indication with high speed and crossed the road. Due to that the driver of the car applied the sudden break and turned the car. Then the driver of the car lost his control and dashed behind the motor cycle

subsequently dashed against the center median in which the said car was capsized. Due to that impact, the driver and co occupants of the car sustained Grievous injuries in the accident.

(a) The petitioner in MCOP **No.168/2018** taken first aid treatment at Ambur, and referred to Vellore Adukkambarai Govt. hospital and then admitted MIOT hospital, Chennai and treated as inpatient as well as outpatient. Due to this accident, petitioner attained permanent disability and lost his earning capacity who earned Rs.20,000/- per month at the time of accident.

(b) The petitioner in MCOP **No.170/2018** taken first aid treatment at Ambur, and referred to Vellore Adukkambarai Govt. hospital and then admitted MIOT hospital, Chennai and treated as inpatient as well as outpatient. He is working as Agri officer and earned Rs.90,000/- per month who support his entire family. Due to this accident, petitioner attained permanent disability and lost his earning capacity .

(c) The petitioner in MCOP **No.171/2018** taken first aid treatment at Ambur, and referred to Vellore Adukkambarai Govt. hospital and then admitted MIOT hospital, Chennai and treated as inpatient as well as outpatient. He is working as Head mistress and earned Rs.90,000/- per month who support his entire family. Due to this accident, petitioner attained permanent disability and lost his earning capacity .

The accident took place only due to the negligent Act of the rider of the above said motor cycle bearing Reg. No. TN 83 Y 3874. The Ambur Taluk Police has been registered the criminal case in Cr.No. 263/2017, U/s.279, 337,

338 and subsequently alter 304(A) of IPC. against the vehicle of the 1st respondent. The 2nd respondent liable to pay compensation to the petitioner and recovered from the owner of the above said motor cycle as per the guidelines of the Hon'ble Supreme court Khenyei Vs New India Assurance company Limited and others, dated. 07.05.2015 reported in 2015(1) TNMAC 50. The 1st respondent motor cycle bearing Reg. No. TN 83 Y 3874 not having valid insurance policy. Therefore the 2nd respondent who is the insurer of the petitioner vehicle added a party. In case of negligence fixed on the part of the 1st respondent, it would be open to the insurer of the car after making payment to claimants to recover from the owner of the motor cycle who is tortfeasor the amount to the aforesaid extent in the execution proceedings. Hence the petitioners are entitled compensation from the respondents along with interest and costs.

2.The counter filed on the side of 1st respondent in MCOP.No.168/2018 same as other cases in MCOP No.170/2018, 171/2018, and hence the same taken in to consideration as common:

All the allegations in the accident compensation claim filed by the petitioner are false and contrary to the truth. The respondent has no connection whatsoever with this case. The 2nd respondent is not liable to pay the motor vehicle accident compensation amount to the petitioners because the 1st respondent did not even acknowledge the motor vehicle accident that allegedly occurred. The 1st petitioner only came to know about the said accident and the petition filed against him demanding a house when he returned from court. The two-wheeler (Motor Cycle No.TN-83-Y-3874) which is said to have been

involved in the accident was sold by the respondent on 15.04.2016 for Rs.30,000/- (thirty thousand) to Ari. EnapaninkuraH Prabhakaran, residing at Door No. 845/NA, Villur Viramam Kalikapuram area, Ambur taluk, Vellore district.

The 1st respondent further states that on 26.06.2015, during the wedding ceremony held at Priya Mahal Wedding Hall in Ambur Siro, the bride's family gifted the 1st respondent two-wheeler. Thereafter, the 1st respondent, who is a mixed race person, has had great difficulty in using a two-wheeler and has been driving a gear vehicle with great difficulty due to the fact that both his legs are very thin (both his right and left legs are very thin below the thigh). After that, due to the injuries sustained and the inability to use it properly, he decided to sell it and buy a new two-wheeler. On 15.04.2016, he sold the two-wheeler mentioned in the accident to the above-mentioned Prabhakaran for Rs. 30,000/- and on the same day, he paid Rs. 64,774/- to BREE AMMAN AUTO AGENCY, 79, P.S.N Complex, C.N.A Road, Vaniyambadi - 635.751. Ph: 04174227077 and bought a new "YAMAHA FASCINO without the driver, and to this day, I have been driving the vehicle for 1 year.

The fact that Prabhakaran, who bought the two-wheeler mentioned as causing the above accident, has been using it in the name of the complainant till date without properly registering the documents including RC Book, Insurance, etc. has come to the knowledge of the respondent only after the continuation of this case. Furthermore, on the date on which the accident is said to have occurred, Prabhakaran gave the two-wheeler to his friend Manikandan, Kumaresan, Door No. 3/99, New No. 3/41, Subhash Nagar, Minnur Village, Ambur Taluk, and the accident occurred only now has come to the knowledge

of the 1st respondent that the accident occurred when he was riding the said two-wheeler, but the 1st respondent has no connection with the alleged accident. Along with this reply, the marriage certificate, Photograph of the bride and groom with the two-wheeler that is said to have been damaged in the fire, Certificate for the disabled person, Certificate of sale of the two-wheeler and receipt of it in full The 1st respondent submits a copy of the Delivery Note form, 2 copies, 6 photos, CD, and receipt of the newly purchased vehicle on 15.04.2016. The 1st respondent respectfully prays that this Hon'ble Court may read it as part of this case.

The said vehicle (Motor Cycle No.TN-83-Y-3874) was sold by the 1st respondent on 15.04.2016 for Rs.30,000/- (Thirty Thousand) to H.Prabhakaran, son of Ari, residing at Door No. 845/NA, Kalikapuram area, Minnur village, Ambur taluk, Vellore district, and therefore the relationship of ownership of the 1st respondent has completely disappeared. Therefore, the 1st respondent is not liable to pay the compensation claimed by the petitioners. Since the said two-wheeler was sold on 15.04.2016, the respondent is not the owner of the property. Furthermore, he has no connection whatsoever with this case. The petitioner has filed a false case against the 1st respondent by stating false facts. Apart from that, the current owner of the above mentioned two-wheeler is H. Prabhakaran since 15.04.2016 and till date it is in the personal possession and experience . It is said that the above mentioned person's friend Manikandan was driving the two-wheeler at the time of the alleged accident. The 1st respondent has no connection with the above accident and the petitioner has filed the case on the basis of false documents. In the above case, the driver Manikandan, who claims to have been riding the two-wheeler when the accident occurred, and the actual current owner of the two-wheeler, Prabhakaran, are the ones who are

liable to pay the accident compensation amount. The 1st respondent has no connection with this accident. This case has been filed in a false manner by completely concealing the true events that took place against the 1st respondent.

Furthermore, the 1st respondent is not fully responsible for the fact that the two-wheeler that was involved in the accident was purchased by the aforementioned Prabhakaran on 15.04.2016 and has not transferred the name to his name till date.. On 15.04.2010, the 1st respondent lost the relationship of owner of the two-wheeler. The 1st respondent is not responsible for the accident in any way . Hence the petition is liable to be dismissed on costs against the 1st respondent.

3. The counter filed on the side of 2nd respondent in MCOP.No.168/2018 same as other cases in MCOP No.170/2018, 171/2018, and hence the same taken in to consideration as common:

The allegations made in the Petition are hereby denied except those that are specifically admitted hereunder and the Petitioners are put to strict proof of the same. The Place, date and time of accident are not admitted. The expenses incurred towards Medical treatment and transportation are denied. The Petitioner is put to strict proof of the same. The allegations in column No 23 of the Petition are denied. The accident had caused due to the sole negligence of Motor cycle rider bearing Regn No TN-83-Y-3874 one Manikandan. He drove the motor cycle without D.L., without Insurance, without knowing the rules of the road, in rash and negligent manner and without noticing the Petitioner's Car he suddenly crossed the road and caused the said accident and due to the said

impact the Ambur Taluk Police registered a case in Crime No 263/2017 as against the rider of motor cycle one Manikandan and the same is pending for investigations. Since the accident had occurred due to the negligence of the motor cycle rider, this Respondent is unnecessary party to this proceedings and this Petition is not maintainable and liable to be dismissed as against this Respondent

The owner of the Car bearing Regn No TN 83 V 9608, is not added as party to this Proceedings. This Respondent further submits that as per the terms and conditions of the Insurance Policy, if there is any liability to the owner/Insured of the car, then this Respondent has to indemnify the owner/Insured of the said car. Since the owner/Insured of the said car was not impleaded as party, this Respondent is not liable to pay any compensation to the Petitioner and this Petition is not maintainable and liable to be dismissed. The alleged nature of injuries to the Petitioner are denied.

Without prejudice, and without admitting any liability, this Respondent submits that if there is any disability to this Petitioner, with regard to his occupation, the Petitioner may be directed to approach the Medical Board to get the disability certificate and the disability certificate from the other Doctors can not be relied upon as per new amendment. And otherwise it will be treated as there is no disability to the Petitioner and the Petitioner sustained only simple injuries. The Petitioner was aged about 23 years, he was working in a private Company and earning Rs 50,000/- per month only fabricated in order to exaggerated the claim. hat the amount of compensation claimed by claimant is highly exorbitant and without any basis. Hence the petition is liable to be dismissed as against the 2nd respondent with costs .

4. EXAMINATION OF WITNESS :

(a) The petitioner in MCOP No.170/2018 / injured/ occupant namely Anandan filed proof affidavit in consonance with the claim petition and examined as Pw1 and the documents Ex.P.1- P15 were marked. The petitioner in MCOP No.168/2018 namely Narendiran who is the driver of the car/ injured examined as Pw2 and the documents Ex.P.16- P20 were marked. The petitioner in MCOP No.171/2018 namely Bagavathy who is the occupant of the car examined as Pw3 and the documents Ex.P.21 - P25 were marked. The evidence of the petitioner's closed with PW3.

(b) The official of the 2nd respondent company namely Agamin filed proof affidavit and examined as Rw1, Ex.R1 – R3. The 1st respondent namely Praburajan examined as Rw2, and Ex.R.4 – R9 were marked. The Inspector of police, Ambur Taluk Police station also examined as RW3 and Ex.R10 to R15 were marked. The 2nd respondent side also examined officials of its company namely Sundaresan examined as Rw4, and the documents Ex.R16 – R18 were marked. The evidence of the respondents closed with RW4.

5. Points for consideration:-

- 1) Whether the accident occurred due to the rash and negligence of the motor cycle bearing Reg.No. TN 83 Y 3874 belonged to the 1st respondent ?
- 2) Whether the Petitioner in MCOP No.168/2018 is entitled to get compensation for the injuries sustained in the accident from the respondents? If so what is the quantum?
- 3) Whether the Petitioner in MCOP No.170/2018 alone entitled to get compensation injuries sustained in the accident from the

respondents? If so what is the quantum?

4) Whether the Petitioner in MCOP No.171/2018 alone entitled to get compensation injuries sustained in the accident from the respondents? If so what is the quantum?

5) Who is liable to pay compensation?

6. Heard the arguments put forth on both sides and the material documents are carefully considered.

7.POINT NO 1: -

(a) The petitioner's case is that, the accident happened on 02.07.2017 at about 10.45 P.M opposite to Minnur Mosque at Ambur to Vaniyambadi national highway. It is gathered from the documents that, the HYUNDAI I -20 car bearing Reg.No. TN 83 V 9608 was driven by the petitioner in MCOP No.168/2018 and the same belongs to his father namely Anandhan (Who is the petitioner in MCOP No.170/2018) at the time of accident. The another vehicle involved in the accident HERO HONDA SPL vehicle bearing Reg.No. TN 83 Y 3874 stands in the name of 1st respondent not insured with any other company. The 2nd respondent is the insurer of petitioner vehicle and hence he filed the petition to claim compensation against the respondents U/sec 166 MV Act in view of Hon'ble Apex Court in Khenyei Vs New India Assurance company Limited and others

(b) It is the contention of the 1st respondent /who is the registered owner of the vehicle bearing Reg. No. TN 83 Y 3874 that he had already sold and delivered the vehicle to one H. Prabhakaran, S/o Ari, residing at Door No.

845/NA, Kalikapuram area, Minnur village, Ambur taluk, Vellore district, on 15.04.2016 for valuable consideration of Rs.30,000/- and hence the ownership of the 1st respondent not in existence. Whereas the said Prabahakaran gave his vehicle to his friend namely Manikandan who drove the vehicle at the time of accident. Being the vehicle under the possession and custody of the Prabhakaran, the 1st respondent is not responsible to pay compensation and the petition is liable to be dismissed as against the 1st respondent.

Upon considering the submission and rival submissions, it is an admitted position that, as on the date of accident, the Registration Certificate of the offending vehicle continued to stand in the name of the 1st respondent. Being the 1st respondent side primarily taken the stand that “Transfer of Ownership” of the vehicle and hence the tribunal inclined to discuss the actual ownership of the vehicle and then move on to the next issue “Negligence” in order to understand the case easily.

Ownership:

In order to substantiate his stand, the 1st respondent filed proof affidavit and himself examined as RW2. He deposed that, he who who is the registered owner of the vehicle bearing Reg. No. TN 23 BT 1125 had sold the vehicle for a valuable consideration and filed the delivery note along with counter. Admittedly, the registration certificate continued to stand in the name of the 1st respondent even after the alleged sale as could be seen from Ex.P3. The 1st respondent relied upon the one & only document delivery note marked as Ex.R7. It is to be noted that the delivery note is the contract between the two individuals seller and Buyer. The third parties would not be expected to be aware of the delivery note. At the same time, the Registration Certificate is a Public

document would aware the Public at large. The mere issuance of delivery note would not considered as Transfer, unless and untill the mutation of records properly effected as stipulated in Motor vehicle Act & Rules.

The provisions U/ Section 2(30) of the Motor Vehicles Act, 1988, an **"owner"** is defined as the person in whose name a motor vehicle stands registered. If a vehicle is under a hire-purchase, lease, or hypothecation agreement, the person in possession is considered the owner.

The term “ Registered owner” the person in whose name the motor vehicle stands registered in the certificate of registration is treated as the owner. The provision U/Section 50 of the MV Act, 1988 speaks about the transferring vehicle ownership. The transferor must submit Form 29 and the transferee submits Form 30, accompanied by documents like the RC, insurance, and address proof. The present case is concern the 1st respondent has not choosen to intimate the transfer by issuance of delivery note to the registering Authority. Unless and Untill the appropriate entries made in the registration certificate the registered owner is responsible for the all activities arises with regard to the said vehicle.

The provisions under Sec 157 MV Act also Speaks about transfer of Insurance Policy. It is clear that , the transfer of ownership would be effected only on transfer of name in the records maintained before registering authority and intimation to the Insurance company concern. It is Pertinent to point out the decision of **Hon’ble Apex court in P.P. Mohammed v. K. Rajappan, (2008) 17 SCC 624;**

“owner” means registered owner for Sec 168 liability, even if possession

is transferred. Third parties/accident victims should not be forced to find out who the "real owner" .Even if vehicle is sold and delivery note given, until RC is transferred in RTO records, seller continues as "owner" under MV Act.

The present case is concern there is no insurance obtained for the vehicle of 1st respondent. He relied only the delivery note for transfer of ownership and no other documents filed in this regard. The said delivery note reflects the transfer of possession only. It does not amount to a legal transfer of ownership nor does it absolve the registered owner from liability towards third parties. Therefore, the contention that the 1st respondent is not liable on account of execution of a delivery note is unsustainable. ***The tribunal holds that the 1st respondent is only liable for all purposes as registered owner of the Vehicle under the provisions of MV Act***

Negligence:

It is gathered from the materials that there were travelled 4 persons namely (1) Narendran, (2) Anandhan, (3) Bhagavathi and one aged person said to be grandfather of Narendran had travelled in the HYUNDAI I -20 car at the time of accident. The said Narendran is the Petitioner in MCOP No.168/2018, who is the DRIVER car at the time of accident. The Petitioner in MCOP No. 170/2018 namely K.Anandhan is the OWNER of the car and travelled as OCCUPANT at the time of accident . The petitioner Bhagavathi is also one of the CO -OCCUPANT occupant of the car and also the mother of Narendran and Wife of Anandhan. It is also clarified that the said grandfather who had also sustained injury in the accident also died. The above said three separate claim petitions were filed with regard to the INJURIES SUSTAINED in the Accident.

In order to prove the Negligence, the injured / petitioner namely Anandhan filed proof affidavit in consonance with the claim petition and examined as PW1. He categorically deposed that, he along with his family members visited to his Younger Brothers house at Chennai and returning to home, Tirupathur in his own Hundai I 20 Car on the date of accident on 02.07.2017. While they proceeding in Ambur -Vaniyambadi national Highway her son drove the car very, slowly , cautiously, in the extreme left side of the road, at that time, they were nearing opposite to Minnur Mosque, at about 10.45 PM, the driver of the Hero Honda Splendor vehicle (TN-83-Y-3874) two-wheeler came from behind, driven by its rider in a rash and negligent manner, at high speed, without blowing horn and without following traffic rules, suddenly come across the road and hit behind the wheel of the car with great force and hence his son who drove the car lost his control caused constrained to dash in the median fixed in the middle of the road and also capsized, the accident was caused..

The driver of the car namely Narendran examined as PW2 also narrated the same facts as stated by PW1. The other occupants of the car namely Bahagavathi who examined also corroborates the evidence of PW1 &, PW2. The cross examination on the side of 2nd respondent who is the insurer of the petitioner not expected to deny the manner of accident, occurrence as well as Negligence on the part of two wheeler admitted. The real contesting 1st respondent elaborately cross examined the said evidence of three witness not shattered. The entire crosse examination revolves round only that the 1st respondent sold the vehicle to somebody and hence not responsible for the

accident. Though it has been suggested the variation of occurrence place they denied the same. The said evidence is seen as natural , probable and convincing one and hence the tribunal wholly relies on the evidence of PW1, 2,

It is clear from the evidence of PW1, 2,3 that the accident occurred due to the negligence of the driver of the Hero Honda two wheeler. It is also clarified that three person has occupied in the two wheeler at the time of accident against the traffic rules. It is also evident from medical records that the said PW1, PW2 and PW3 sustained injuries immediately taken into Ambur GH through 108 ambulance and after taking First aid referred to higher hospital / Vellore GH and the said facts not all denied. Hence the tribunal holds that the petitioners in MCOP: 168/2018, 170/2018 & 171/2018 sustained injuries in the accident. The criminal Case registered on the basis of oral statement of the driver of the car namely Narendran in Cr.No. 263/2017, U/s.279, 337, 338 on the file of Ambur Taluk P.S against the driver of the Hero Honda vehicle marked as PW1, corroborates the evidence of PW1-3.

It is also pertinent to note that the HUundai I -20 and Herohonda vehicles were sent to Motor Vehicle Inspection and the report marked as Ex.P4 & P9 respectively. It reveals that both the vehicles severally damages and could not be road tested at the time of Inspection. The damages contained in the said report also reveals that the involvement of vehicles and the nature of force prevailed at the time of accident. There is no denial put forth on the side of contesting respondent that the accident not occurred as per the manner stated in the petition. The driver of the two wheeler is also a competent Person who depose about the manner and there is no steps taken to prove that the accident happened in the different manner. There is no independent eye witness

examined in order to rebut the evidence of the Petitioners. The Final report(Ex.R1) also filed against the driver of the two wheeler namely Manikandan. Hence the tribunal holds that the accident occurred as per the manner stated in the petition.

(g) As discussed in detail, the Oral testimony of the injured/ eye witness/ pw1, 2, 3 & the documentary evidence of contemporary nature clearly proves that the the accident occurred due to the rash and negligence of the driver of the two-wheeler. The plea of contributory negligence taken on the Side of 1st respondent is not established with substantive evidence. for the accident . The petitioner proved his case as per the theory of preponderance of probability. ***Hence the tribunal fixed the entire negligence of 100% upon the driver of the two-wheeler bearing Reg. No.TN-83-Y-3874, of the 1st respondent who is the registered owner of the vehicle and termed as offending vehicle. The point No. 1 is answered accordingly.***

8. POINT NO.2 :

The petitioner/ Pw2 namely Narendran who is the petitioner in MCOP No.170/2026 deposed that he sustained bleeding injuries on his forehead and all over the body and other occupants also got Injured. He further deposed that the public gathered in the accidental Spot took them through 108 Ambulance to Ambur Govt Hospital. Since injuries were severe, for better treatment we were referred to Vellore Adukkamparai Govt General Hospital and they by admitted as inpatient and there from gone to MIOT Hospital Chennai. The discharge summary of MIOT Hospital for the period 03.07.2017 – 12.07.2017 treated as inpatient marked as Ex.P16. A set of medical Bills foe an amount of Rs.1,46,201/- marked as Ex.P17. The accident caused due to the

sole negligence of the driver of the 1st respondent as decided in Point No.1 and hence the petitioner in MCOP ; 168/2018 entitled compensation.

(i) The petitioner in MCOP : 168/2018 estimated the claim of Rs.50,00,000 /- towards compensation for the injuries sustained in the accident along with interest and costs

(i).TOWARDS DISABILITY: The petitioner claimed Rs.3,00,000/- towards permanent disability. The petitioner side no steps taken to refer him to medical board to prove the disability. There is no medical records produced to prove the disability and hence the tribunal not inclined to award compensation towards DISABILITY.

(ii). MEDICAL EXPENSES :

(a) Being the Motor Vehicle Act is an beneficial legislation, the tribunal inclined to see the documentary produced before it though the amount claimed for medical expenses specifically stated in the petition. The accident occurred on 02.07.2017. The petitioner initially taken in to Ambur Govt. hospital, immediate to the accident through 108 ambulance. And thereafter referred for higher treatment and hence admitted MIOT hospital, Chennai. The treatment taken in Ambur G.H. on free of cost and hence no medical bills expected to be produced.

(b) *In order to prove the medical expenses incurred on private treatment the following documents were produced.* The discharge summary (Ex.P16) reveals that he had taken treatment as inpatient from 03.07.2017 – 12.07.2017 in MIOT hospital, Chennai. It reveals that he had diagnosed for “ ***Fracture of C2 vertebra***” involving base of ODONTOID TYPE -III, RIGHT

SUPERIOR PUBLIC RAMI FRACTURE, FRACTURE OF RIGHT ACETABULUM (ANTERIOR COLUMN) RIGHT SACRAL ALA FRACTURE COMMUNITED, C6, C7 TRANSVERSE PROCESS FRACTURE, LACERATED SCALP INJURY.

The examination of CT scan taken in scalp reveals that deep lacerated wound in Right frontal to parietal region are that he underwent treatment for WOUND DEBRIDEMENT and suturing on 04.07.2017. The operation notes reveals that, he had shifted to MIOT-II and incubated orally painted and draped in a usual manner injection local *xylocaine with Adrenaline 5 ml* injected. After making wound debridement the wound margins re freshened and wound was given mini vac drain applied wound closed in layers using 3-0 vicryl and 4-0 ethilon patient excupated dressing applied shifted bow uneventfully.

He was also evaluated by Ortho paedic surgeon, anasthesis, spine surgeon, Oral maxillary facial surgeon. ***Right superior fubic fracture*** It also reveals that oral maxillary surgeon opinion obtained for scalp laceration and advised wound debridement and secondary suture on 04.07.2017. The Neuro surgeon obtained on 05.07.2017 that NIL Neuro surgical intervention.

The Petitioner also undergone treatment for HDCT cervical spine in the contemporary period simultaneously under the impression fracture in the CT vertebrae involving the base of Odontoid, fracture of right transverse process of C6 and C7. The HD CT taken for pelvis on 4.7.2017 contain the impression that *“Fracture in the anterior column of right acetabulum. , Comminuted fracture in right sacral ala, Fracture in superior public rami on right side”*.

The scan taken USG abdomen on 07.07.2017 reveals that no significant

free fluent in abdomen. The petitioner is also advised to take medication on discharge. He also instructed to keep exercise for both leg and complete strict bed rest for 6 weeks in supine position. He also advised to attend the review after 4 weeks in Ortho OPD and then attend review after 2 weeks in oral maxillo and facial surgery OPD.

(c) A set of inpatient medical bill (10 Nos) for taken tretament in MIOT HOSPITAL marked as **Ex.P17**.

The Bill No.1 relates to payment of Rs.850/- for first consultation and MLC charges for taking treatment on 03.07.2017. Bill No.2 relates to tax invoice / cash bill containing an amount Rs.130/-.

The bill No.3 is an inpatient treatment (03.07.2018 – 12.07.2018) bill containing payment of Rs.1,41,353/- towards blood bank, consultation, CT scan, diet, documentation, equipments, ICU, Monitor charge, room rent, treatment room, ultra sonogram, water bed, wound debridement, Xray, post operating care, Lab, pharmacy, telephone.

The bill No.4 relates to tax invoice for purchase of abdominal binder and payment of Rs.475/- on 06.07.2017. The Bill No.5 relates to purchase of medicines drugs, tablets for an amount of Rs.510/- on 12.07.2017. It is apparent that the bill no. 1,2,4, and 5 are the form part of consolidated medical bill at the time of taken treatment as Inpatient and hence he cannot be claimed for 2nd time in view of the said Seperate Bill. ***Hence the tribunal inclined to award the amount contained in Bill No.1 (except Bill no. 1,2,4, and 5) alone*** towards medical expenses

The Bill No. 6 relates to OP consultation of Ortho on 12.08.2017 shown

payment of Rs.250/-. The bill No.7 relates to X-C scap containing payment of Rs.500/- on 12.08.2017. The Bill No.8 relates to payment of Rs.350/- towards physiotherapy – walking training made on 12.08.2017. The bill No.9 relates to payment with regard to Xray taken for servical spine AP and lateral, X pelvis and both hips AP on 12.08.2017. The Bill No. 10 relates to purchase of medicine, tablets for an amount of Rs.433/- on 12.08.2017. (***The total amount arrived for Bill No.6-10 = Rs. 1533/-***

As discussed in detail, the tribunal inclined to award compensation the expenses incurred as contained in the said Bills = Rs. 1,42,886/- towards Medical expenses.

(iii) LOSS OF INCOME: The petitioner claimed Rs.2,00,000/- for loss of earnings and Rs.30,00,000/- towards future loss of earning power . It is stated that, the petitioner was worked in private company and earned Rs.50,000/-per month. But there is no records produced to show the employment or earning. The petitioner side not proved the disability sustained by him and hence there tribunal holds that there is no loss of earning capacity arises as stated in the petition. At the same time the petitioner treated in patient as well as out patient for the fracture caused in the said accident cannot be overlooked. Upon considering the period of treatment as inpatient in MIOT Hospital the petitioner ought to have absented from regular course of employment at least 1 month. Hence the notional income fixed as Rs.8,000/- per month in tribunal inclined to award compensation of **Rs.8,000/-** towards loss of income during the period of layoff.

(iv) With regard to the other claims made by the petitioner, no documents were filed. Considering the said fact,

(a) PAIN & SUFFERINGS : It is apparent from medical records that the petitioner underwent treatment in MIOT Hospital as in patient for nearly 10 days, he undergone surgery due to *Fracture of C2 vertebra & Fracture in the anterior column of right acetabulum. , Comminuted fracture in right sacral ala, Fracture in superior public ramie on right side*” on 04.07..2017 . It is also extracted from the other medical records (Ex.P2,) that the petitioner treated out - patient and consulted the doctor on 28.07.2018 It is apparent that the injury Grievous in nature. Upon considering the nature of injuries, duration of treatment, the pain and sufferings undergone by the petitioner, the tribunal inclined to award a sum of **Rs.70,000/-** as compensation under this head.

(b) Towards Extra Nourishment : that would have been taken for speedy recovery, **Rs.15,000/-** is awarded.

(c) Though the petitioner was hospitalized, there is no material produced that he was assisted by an attender. The period of treatment clarified that the petitioner treated for 10 days as inpatient and hence the considering the same the court is inclined to award **Rs.15,000/-** towards **Attender Charges**.

(d) TRANSPORT EXPENSES : Though the petitioner claimed Rs.50,000/- for transportation charges, The trip sheet or the bills shows the transportation charges incurred are not produced. At the same time considering the residence of the petitioner Tirupathur to Chennai nearly about 89 K.M (to and fro 178 K.M) and the period of treatment taken as inpatient. Then he consulted the Doctor as out patient on 12.08.2018 The tribunal inclined to award **Rs.10,000/-** as transportation expenses.

(e) LOSS OF AMENITIES : It is clear from record that the petitioner was 23 years old at the time accident. Considering the nature of injury, which he has to endure through out life, and hence tribunal inclined to award **Rs.25, 000/-** for loss of Amenities and happiness.

(f) DAMAGE TO CLOTHES AND ARTICLES : The petitioner claimed RS.50,000/- towards damage to cloth, watch and mobile. There is no broken Parts of watch or mobile not produced. Due to cause of injury the cloths in which he weared at the time of accident would possible to be damaged and hence the tribunal inclined to award **Rs. 2, 000/-** under this head.

Finally, this tribunal award the following amount towards the claim of the petitioner under the given heads.

1	Towards disability	Nil
2	Towards Medical Expenses	Rs.1,42,886/-
3	Towards loss of Income	Rs. 8,000/-
4	Loss of Amenities	Rs. 25, 000/-
5	Towards Pain & Suffering	Rs. 70,000/-
6	Extra Nourishment	Rs. 15,000/-
7	Attender Charges	Rs. 15,000/-
8	Transportation Expenses	Rs. 10,000/-
9	Damage To Clothes And Articles	Rs. 2,000/-
	Total	Rs. 2,87,886/-

In fine, the petitioner in MCOP No. 168/2018 awarded an amount of Rs. 2,87,886/- towards compensation for the injuries sustained in the accident.

9. POINT NO.3

Refer MCOP No.170/2018

The petitioner/ Pw2 namely Anandhan who is the petitioner in MCOP No.170/2026 deposed that he sustained injuries on his backside and all over the body and other occupants also got injured. He further deposed that theyhe got initially taken first aid in Ambur Govt Hospital and then referred to Vellore Adukkamparai Govt General Hospital and they by admitted as inpatient and there from gone to MIOT Hospital Chennai. The discharge summary of MIOT Hospital for the period 03.07.2017 – 06.07.2017 treated as inpatient marked as Ex.P2. A set of medical Bills foe an amount of Rs.1,05,311/- marked as Ex.P10. The accident caused due to the sole negligence of the driver of the 1st respondent as decided in Point No.1 and hence the petitioner in MCOP: 170/2018 entitled compensation.

(i) The petitioner in MCOP : 170/2018 estimated the claim of Rs 25,00,000 /- towards compensation for the injuries caused to the Anandan who is the one of the occupant of the car at the time of accident.

(i).TOWARDS DISABILITY: The petitioner claimed Rs.3,00,000/- towards permanent disability. The petitioner side no steps taken to refer him to medical board to prove the disability. There is no medical records produced to prove the disability and hence the tribunal not inclined to award compensation towards DISABILITY.

(ii). MEDICAL EXPENSES :

(a) The accident occurred on 02.07.2017. The petitioner initially taken in to Ambur Govt. hospital, immediate to the accident through 108 ambulance. And thereafter referred for higher treatment and hence admitted MIOT hospital, Chennai. The treatment taken in Ambur G.H. on free of cost and hence no medical bills expected to be produced.

(b) In order to prove the private treatment the following documents were produced. The discharge summary (Ex.P2) reveals that he had treatment as inpatient from 03.07.2017 – 06.07.2017 in MIOT hospital, Chennai. It reveals that provisionally diagnosis ed chest injury *fracture 7, 8 and 12th right ribs with mild* PNEUMOTHOROX, FRACTURE OF L2, L3, L4 OF RIGHT TRANSVERS WITH MULTIPLE DEGENERATIVE CHANGES, JONES FRACTURE RIGHT SIDE, DIABETICS MELITIS.

(c) The examination of CT scan reveals that RIGHT FOOT TENDER NESS BASE OF 5TH META TARCEL, SWELLING PRESENT RANGE OF MOVEMENT PAIN FULL.

(d) The petitioner undergone surgery on 04.07.2017 for POSTERIOR CENTRAL AND LEFT PARA CENTRAL, DISC PROTRUSION AT L5 – S1 LEVEL INDENTING THE THECAL SAC, LEFT S1 NERVE ROOT AND CAUSING MILD COMPROMISE OF SPINAL CANAL. The petitioner is also advised to take medication and also advised to take deep breathing exercises, physiotherapy exercise, intensive Spiro-metry, limb elevation, anti oedima stocking non bearing walking with below elbow clutches.

(e) The Pulmonologist opinion obtained on 04.07.2017 for rib fracture and advised to take deep breathing exercises. The spine surgeon opinion also

obtained for back ache on 04.07.2017 and advised MRI LS spine and attend to review with report. The spine surgeon reviewed and advised to wear LS belt and adequate bed rest. He was also advised to take medication, physiotherapy exercise and discharged at request.

(f) The CT scan taken for cervical spine on 03.07.2017 contained an impression degenerative changes in spine and no significant abnormality. The MRI scan taken for Lumbo sacral spine on 05.07.2017 contained an impression fracture of transverse process of L2, L4 vertebrae on the right side with Oedema in the para spinal soft tissues. He also advised to attend review after one month before Ortho paedic OPD and Spine OPD.

(g) A set of inpatient medical bill (10 Nos) for taken tretament from 03.07.2017 – 06.07.2017 marked as **Ex.P10**.

(A) The bill No.1 is an IP inpatient bill for the period of treatment taken as inpatient from 03.07.2017 – 06.07.2017 contained the payment of Rs.98,337/- paid towards blood bank, cardiology investigation, consultation, CT scan, diet, documentation, equipments, ICU, Monitor charge, MRI scan, physiotherapy, room rent, treatment room, ultra sonogram, Xray, post operating care, Lab, pharmacy, telephone.

(B) The Bill No.2 relates to OP bill cum receipt payment of Rs.600/- for first consultation (Ortho) on 03.07.2017. Bill No.3 relates to tax invoice / cash bill containing an amount Rs.130/-. The bill No.4 relates to tax invoice for purchase of gloves, soft roll, bandage for an amount of Rs.1093/- on 05.07.2017. The Bill No.5 relates to Lumbo sacral belt, Cremaffine for an amount of Rs.707/- on 06.07.2017.

(Note : It is apparent that the bill no. 2-5 are separate in patient bill the form part of consolidated medical bill obtained while treated as Inpatient and hence he cannot be claimed for 2nd time. ***Hence the tribunal inclined to award the amount contained in Bill No.1 (except Bill no. 2-5) alone towards medical expenses)***

(C) The Bill No. 6 relates to purchase of rapider, medicine etc. for an amount of Rs.566/- on 14.07.2017. The bill No.7 relates to purchase medicine, drugs for an amount of Rs.922/- on 14.07.2017. The Bill No.8 relates to payment of Rs.428/- towards purchase of medicine to pharmacy. The bill No.9 relates to payment with regard to Xray taken for Lumbo sacral spine AP and lateral, X foot AP and oblique right containing payment of Rs.1600/- on 12.08.2017. The Bill No. 10 pertaining to payment of consultation charges of Rs.500/- on 12.08.2017. (***Total as per Bill No. 6- 10 = Rs. 4016/-***)

As discussed in detail, the tribunal inclined to award compensation as per the discussion made (A) + (B) + (C) = Rs.1,02,443/- (Rs.98,337/- + 0 + Rs.4106/-) as the amount contained in Bill No.1, 6-10 towards medical expenses for the period of taken treatment as inpatient till her death.

(iii) LOSS OF INCOME:

The petitioner claimed Rs.5,00,000/- for loss of earnings and Rs.500,000/- towards future loss of earning power . It is stated that, the petitioner was working as Agriculture officer in Govt department and drawn Salary of Rs.90,000/-per month. But there is no records produced to show the employment or earning. The petitioner side not proved the disability sustained by him and hence there tribunal holds that there is no loss of earning capacity

arises as stated in the petition. At the same time the petitioner treated in patient as well as out patient for the fracture caused in the said accident cannot be overlooked. The petitioner was working in govt department definitely he could availed medical leave and the salary to be credited to his account for the said period of leave and hence there is no loss of Income for the period of treatment also. Hence the tribunal not inclined to award compensation for the loss of income during the period of layoff also.

(iv) With regard to the other claims made by the petitioner, no documents were filed. Considering the said fact,

(a) PAIN & SUFFERINGS :

It is apparent from medical records that the petitioner underwent treatment in MIOT Hospital as in patient from 03.07.2017 – 06.07.2017, he undergone treatment due to *fracture 7, 8 and 12th right ribs with mild pneumothorox, fracture of 12, 13, 14 of right transvers with multiple degenerative changes, jones fracture right side,*. It is also It is apparent that the injury Grievous in nature. Upon considering the nature of injuries, duration of treatment, the pain and sufferings undergone by the petitioner, the tribunal inclined to award a sum of **Rs.50,000/-** as compensation under this head.

(b) Towards Extra Nourishment : that would have been taken for speedy recovery, **Rs.10,000/-** is awarded.

(c) Though the petitioner was hospitalized, there is no material produced that he was assisted by an attender. The period of treatment clarified that the petitioner treated for 4 days as inpatient and hence the considering the same the court is inclined to award **Rs.5,000/-** towards **Attender Charges.**

(d) TRANSPORT EXPENSES : Though the petitioner claimed Rs.50,000/- for transportation charges, The trip sheet or the bills shows the transportation charges incurred are not produced. At the same time considering the residence of the petitioner Tirupathur to Chennai nearly about 89 K.M (to and fro 178 K.M) and the period of treatment taken as inpatient. Then he consulted the Doctor as out patient on 12.08.2018 The tribunal inclined to award **Rs.10,000/-** as transportation expenses.

(e) LOSS OF AMENITIES : It is clear from record that the petitioner was 23 years old at the time accident. Considering the nature of injury, which he has to endure through out life, and hence tribunal inclined to award **Rs.10, 000/-** for loss of Amenities and happiness.

(f) DAMAGE TO CLOTHES AND ARTICLES : The petitioner claimed RS.50,000/- towards damage to cloth, watch and mobile. There is no broken Parts of watch or mobile not produced. Due to cause of injury the cloths in which he weared at the time of accident would possible to be damaged and hence the tribunal inclined to award **Rs. 2,000/-** under this head.

Finally, this tribunal award the following amount towards the claim of the petitioner under the given heads.

1	Towards disability	Nil
2	Towards Medical Expenses	Rs.1,02,443/-
3	Towards loss of Amenities	Rs.10,000/-
4	Damage To Clothes And Articles	Rs.2,000/-
5	Towards Pain & Suffering	Rs. 50,000/-

6	Extra Nourishment	Rs. 10,000/-
7	Attender Charges	Rs. 5,000/-
8	Transportation Expenses	Rs. 10,000/-
	Total	Rs. 1,89,443/-

In fine, the petitioner in MCOP No. 170/2018 awarded an amount of Rs.1,89,443/- towards compensation for the injuries sustained in the accident.

10. POINT NO.4

Refer MCOP No. 171/ 2018 :

The petitioner/ Pw3 namely Bhagavathy who is the petitioner in MCOP No.171/2026 deposed that he sustained injuries on his backside and all over the body and other occupants also got injured. She further deposed that the public gathered in the accidental Spot took them through 108 Ambulance to Ambur Govt Hospital. Since injuries were severe, for better treatment we were referred to Vellore Adukkamparai Govt General Hospital and they by admitted as inpatient and there from gone to MIOT Hospital Chennai. The discharge summary of MIOT Hospital for the period 03.07.2017 – 25.07.2017 treated as inpatient marked as Ex.P21. A set of medical Bills for an amount of Rs.5,79,155/- marked as Ex.P22. The accident caused due to the sole negligence of the driver of the 1st respondent as decided in Point No.1 and hence the petitioner in MCOP ; 171/2018 entitled compensation.

(i) The petitioner in MCOP : 171/2018 estimated the claim of Rs

50,00,000 /- towards compensation for the injuries sustained at the time of accident

(i).TOWARDS DISABILITY: The petitioner claimed Rs.10,00,000/- towards permanent disability. The petitioner side no steps taken to refer him to medical board to prove the disability. There is no medical records produced to prove the disability and hence the tribunal not inclined to award compensation towards DISABILITY.

(ii). MEDICAL EXPENSES :

(a) The accident occurred on 02.07.2017. The petitioner initially taken in to Ambur Govt. hospital, immediate to the accident through 108 ambulance. And thereafter referred for higher treatment and hence admitted MIOT hospital, Chennai. The treatment taken in Ambur G.H. on free of cost and hence no medical bills expected to be produced.

(b) In order to prove the private treatment the following documents were produced. The discharge summary (Ex.P21) reveals that she had treatment as inpatient from 03.07.2017 – 25.07.2017 in MIOT hospital, Chennai. It is apparent on the face of record that she undergone surgery on the following dates 04.07.2017, 05.07.2017, 11.07.2017 and 19.07.2017. It reveals that she was diagnosed for polytrauma cerebral injury, chest injury, pelvic injury, right upper limb injury, left upper limb injury and right lower limb injury.

POLYTRAUMA WITH: - Cranio Cerebral Injury, Subdural Hemorrhage Along Left Tentorium. Displaced Fracture Of Roof Of Right Orbit. Fracture Of Right Lamina Papyracea.

CHEST INJURY - Right moderate pneumothorax, Pneumo mediastinum. Displaced fracture of bilateral ist to 7th ribs, Displaced fracture of shaft of right clavicle, Fracture of manubrium sternum, Fracture of transverse process of d2 right side.

PELVIC INJURY - displaced fracture of inferior pubic ramus, displaced comminuted fracture of rigiit superior pubic ramus extending to the pubic symphysis.

RIGHT UPPER LIMB INJURY -Closed Right Galeazzi Variant Fracture (Fracture Distal Shaft Radius, Distal Most Shaft Ulna With Complete Disruption Of Tfcc), Fracture Of Hook Of Hamate. Fracture Of Trapezium.

LEFT UPPER LIMB INJURY - Closed fracture of left distal radius, Fracture of styloid process of ulna. Druj subluxation

RIGHT LOWER LIMB INJURY - severely comminuted supracondylar fracture of right femur with intra articular extension, undisplaced oblique fracture involving head and neck of fibula.

EXAMINATION :

FACE- Sustained multiple abrasions over jaw, right eyelid, Bleeding present

CHEST - Tenderness present over both the anterior chest walls air entry is audible bilaterally deep breathing and coughing painful

PELVIS - Tenderness present over pubic symphysis and right pubic ramii, Hips are normal on examination

RIGHT FOREARM AND WRIST -

Diffuse swelling present over the distal forearm and wrist, Tenderness, crepitus, Deformity, abnormal mobility and bony discontinuity present over the distal Fran, Tenderness present over the hook of hamate, Distal pulses present.

Active finger movements present

LEFT FOREARM AND WRIST:

Diffuse swelling present over the distal forearm and wrist, Tenderness, crepitus, Deformity, abnormal mobility and bony discontinuity present over the distal radius, Tenderness present over the fifth metacarpal, Distal pulses present. Active finger movements present

LEFT THIGH & KNEE:

Swelling present around the distal thigh with moderate hamearthrosis, Tenderness, crepitus, Deformity, abnormal mobility and bony discontinuity present over the distal femur, Sutured wound present, Distal pulse present, Active toe movements present

TESTS TAKEN :

(a) The Blood test taken for sodium, Pottasium, Cholaride, Bicarbonate, Urea, Serum Creatinine etc on 03.07.2017., 04.07.2017.

(b) The Hemoglobin test taken on 06.07.2017, 07.07.2017, 12.07.2017, 13.07.2017

(c) Multislice HD CT of Left Wrist (03.07.2017) contained an impression that,

- Comminuted displaced fracture of distal metaphysis of radius with distal radio ulnar joint subluxation.
- Fracture of styloid process of ulna.
- Fracture of distal shaft of 5th metacarpal

(d) Multislice HD CT of Right Wrist (04.07.2017) contained an impression that ,

- Displaced fracture of shaft of radius.

- Displaced fracture of distal ulna.
- Fracture of hook of hamate.
- Fracture of trapezium.

(e) Multislice HD CT of Abdomen (03.07.2017) contained an impression that,

- Abdominal organs normal.
- Displaced fracture of inferior pubic ramus.
- Displaced comminuted fracture of right superior pubic ramus extending to the pubic symphysis.
- Hematoma in right side of pelvis with minimal free fluid.
- Multislice HD CT of Brain (03.07.2017)
- Subdural hemorrhage along left tentorium.
- Displaced fracture of roof of right orbit.
- Fracture of right lamina papyracea

(f) Multislice HD CT of Cervical Spine (03.07.2017)

ITALIA TRA -No fractures.

(g) HR CT of Chest (03.07.2017)

- Right moderate pneumothorax.
- Pneumomediastinum.
- Displaced fracture of bilateral 1st to 7th ribs.
- Displaced fracture of shaft of right clavicle.
- Fracture of manubrium sternum.
- Fracture of transverse process of D2 right side.

(h) TO Multislice HD CT of Pelvis (03.07.2017)

Ematoma in right side of pelvis with minimal fluid in pelvis
right superior with extension to the pubic symphysis.

Displaced fracture of right inferior pubic ramus,

(i) Multislice HD CT of Facial Bones (04.07.2017)

- Displaced fracture of roof of right orbit.
- Fracture of right lamina papyracea with orbital fat herniation.

(j) Multislice HD CT of Left Knce (06.07.2017)

Comminuted displaced fracture in distal shaft of femur extending to the articular surface.

The petitioner was resuscitated with fluids, Central Line was secured, and she was hemodynamically stabilized. Neurosurgeon evaluated and advised nil neuro surgical intervention. The petitioner was also evaluated by Cardio thoracic surgeon who advised chest drain insertion, in view of Pneumothorax on right side. Intercostal drainage tube was inserted by pul monologist on Right side, The petitioner was planned for fixation of upper limb injuries and hence was evaluated pre-operatively, given fitness by Anesthetist

(i) The petitioner undergone surgery on 04.07.2017 for PLATE OSTEOSYNTHESIS RIGHT RADIUS SHAFT, WITH OPEN REDUCTION AND K WIRE FIXATION OF RIGHT ULNA and 2. PINNING AND CAST APPLICATION FOR LEFT DISTAL RADIUS FRACTURE

(ii) The petitioner undergone surgery on 05.07.2017 for DEBRIDEMENT

& SUTURING under local Anesthesia

(iii) The petitioner undergone surgery on 11.07.2017 for 95 DEGREE CONDYAR BLADE PLATE OSTEO SYNTHESIS OF LEFT DISTAL FEMUR

(iv) The petitioner undergone surgery on 19.07.2017 for ILIAC CREST BONE GRAFTING LEFT FEMUR under spinal Anesthesia

(v) The petitioner undergone surgery on 24.07.2017 for ABOVE ELBOW POP CAST

The petitioner is also advised to take medication and also advised to take deep breathing exercises, physiotherapy exercise, - Static quadriceps exercises left side, active knce bending exercises, active ankle and toe mobilization, active shoulder and finger mobilization, limb elevation, pelvic bridging exercises, Chest exercises - incentive Spectrometry Invi Cing of bilateral upper limb injury she is not made to walk and discharged at request. The petitioner also specially instructed for “ Plaster Care” . She also advised to come for suture removal after 10 days and also to attend review after one month in Ortho OPD, Maxillo-facial OPD and Pulmonology OPD.

(c) *A set of inpatient medical bills (10 Nos) for taken treatment as inpatient as well as out patient marked as Ex.P22.*

(A) The Bill No.1 is an IP inpatient bill for the period of treatment taken as inpatient from 03.07.2017 – 25.07.2017 contained the payment of Rs.5,40,319/- paid towards blood bank, Bone crafting, Cast Application, Charge for medical Consultant, Consultation Charge, CT Scan, Dressing, 95 Degree Condylar Blade Plate Osteo synthesis of left distal femur , ICU Non Critical,

Plate Osteo synthesis Right radius Shaft with open reduction, K Wire fixation of Right Ulna, Room rent, Treatment room, Pinning ANG Cast, Application for rent, Distal Radius Fracture, Wound Debridement and Suturing, ICU Procedures, LAB Hematology & Pharmacy. ***Hence the tribunal inclined to award the amount contained in Bill No.1 Rs.5,40,319/- alone towards medical expenses)***

(B) The Bill No.2 relates to OP bill cum receipt payment of Rs.850/- for first consultation (Ortho) on 03.07.2017 & MLC Charges . Bill No.3 relates to tax invoice / cash bill containing an amount Rs.2382/-. The Bill No.4 relates payment of an amount of Rs.30,749/- to diet – Attendar, Diet – patient, Documentation, Lab – Micro Biology, Pharmacy, Telephone, laundry Bill No.5 Pertaining to tax invoice for purchase of Lumbo sacral belt, Water bottle – ICe Berg for an amouny amount of Rs.602/- on 06.07.2017. The Bill No.6 relates to purchase of Micro Shield for an amount of Rs.140/- on 13.07.2017. The Bill No. 7 relates to purchase of medicine for an amount of Rs.1137/- on 14.07.2017. The bill No.8 pertaining to purchase of Blue Sheet for an amount of Rs.186/- on 24.07.2017. The Bill No.9 relates to Tax invoice containing Bill amount of Rs. 1035/- paid to pharmacy on 25.07.2017. The bill No.10 relates to payment purchase of PAN Plastic for an amount of Rs.155/- on 25.07.2017. It is apparent that the bill no. 2-10 are separate in patient bill the form part of consolidated medical bill obtained while treated as Inpatient and hence he cannot be claimed for 2nd time. ***Hence the petitioner not entitled the bill amount contained in Bill No. 2-10***

(C) The Bill No. 10 pertaining to payment of consultation charges of Rs.500/- on 12.08.2017. The Bill No. 11 relates to payment for Active resisted

quadriceps and hamstring containing an amount of Rs.400/- on 24.08.2017. The Bill No. 12 relates to payment towards dressing an amount of Rs.200/- on the same day. The Bill No. 13 relates to taken X Chest PA contains an amount of Rs.600/- paid on 24.08.2017. The Bill No. 14 Pertaining consultation charges (*INTERNAL REFERRAL PULMONOLOGY*) containing an amount of Rs. 200/- made on 24.08.2017. The Bill No. 15 also relates to consultation charges (*INTERNAL REFERRAL PLASTIC SURGERY*) containing an amount of Rs. 200/- made on 24.08.2017. (**Total as per Bill No. 10- 15 = Rs. 2,100/-**)

As discussed in detail, the tribunal inclined to award compensation as per the discussion made (A) + (B) + (C) = Rs.5,42,419/- (Rs.5,40,319 /- + 0 + Rs.2100/-) as the amount contained in Bill No.1, 10-15 towards medical expenses for the period of taken treatment as inpatient till her death.

(iii) LOSS OF INCOME: The petitioner claimed Rs.5,00,000/- for loss of earnings and Rs.15,00,000/- towards future loss of earning power . T It is stated that, the petitioner was working as HEADMISTRESS in Govt School and drawn Salary of Rs.70,000/-per month. But there is no records produced to show the employment or earning. The petitioner side not proved the disability sustained by him and hence there tribunal holds that there is no loss of earning capacity arises as stated in the petition. At the same time the petitioner treated in patient as well as out patient for the fracture caused in the said accident cannot be overlooked. The petitioner was working in govt department definitely he could availed medical leave with salary and hence there is no loss of Income for the period of treatment also. Hence the tribunal not inclined to award compensation for the loss of income during the period of layoff also .

(iv) With regard to the other claims made by the petitioner, no documents were filed. Considering the said fact,

(a) PAIN & SUFFERINGS :

It is apparent from medical records that the petitioner underwent treatment in three hospitals viz., Ambur GH , Vellore Adukkamparai Govt hospital and MIOT Hospital, Chennai. The petitioner treated as in patient from 03.07.2017 –25.07.2017. She undergone ***FIVE TYPE OF SURGERY*** on the following dates;04.07.2017, 05.07.2017, 11.07.2017 and 19.07.2017. The discharge summary (Ex.P21) reveals that she was undergone treatment for poly tromacranio cerebral injury, chest injury, pelvic injury, right upper limb injury, left upper limb injury and right lower limb injury. She also undergone surgery under the procedure as discussed in detail in the head of Medical expenses, and she undergone treatment as out patient on 12.08.2017 & 24.08.2017.. It is also It is apparent that the injury Grievous in nature. Upon considering the nature of injuries, duration of treatment, the pain and sufferings undergone by the petitioner, the tribunal inclined to award a sum of **Rs.1,20,000/-** as compensation under this head.

(b) Towards Extra Nourishment that would have been taken for speedy recovery, **Rs.30,000/-** is awarded.

(c) Though the petitioner was hospitalized, there is no material produced that he was assisted by an attender. The period of treatment clarified that the petitioner treated for 4 days as inpatient and hence the considering the same the court is inclined to award **Rs.25,000/-** towards **Attender Charges**.

(d) Upon considering the injury caused to the petitioner and other factors the tribunal Inclined to award **Rs.3,000/-** towards **Damages to Cloths**.

(e) TRANSPORT EXPENSES : Though the petitioner claimed Rs.10,000/- for transportation charges, The trip sheet or the bills shows the transportation charges incurred are not produced. At the same time considering the residence of the petitioner Tirupathur to Chennai nearly about 220 K.M (to and fro 440 K.M) and the period of treatment taken as inpatient. The tribunal inclined to award **Rs.15,000/-** as transportation expenses.

(f) LOSS OF AMENITIES: It is clear from record that the petitioner was 19 years old at the time accident. Considering the nature of injury, which he has to endure through out life, and hence tribunal inclined to award **Rs. 10,000/-** for loss of Amenities and happiness.

Finally, this tribunal award the following amount towards the claim of the petitioner under the given heads.

1	Towards disability	Nil
2	Towards Medical Expenses	Rs.5,42,419 /-
3	Towards loss of future expenses	Nil
4	Loss Of Amenities	Rs. 10,000/-
5	Towards Pain & Suffering	Rs.1,20,000/-
6	Extra Nourishment	Rs. 30,000/-
7	Attender Charges	Rs. 25,000/-
8	Transportation Expenses	Rs. 15,000/-
9	Damages to Cloths	Rs. 3,000/-
	Total	Rs. 7,45,419/-

In fine, the petitioner in MCOP No. 171/2018 awarded an amount of Rs.7,45,419/- towards compensation for the injuries sustained in the accident.

11.POINT NO.5

The 1st respondent is the owner of the offending vehicle HERO HONDA SPL vehicle bearing Reg. No. Registration Certificate (Ex.P3). Being the owner of the said vehicle, the 1st respondent is liable to pay the compensation for the negligence on his part of his driver as decided in Point No. 1. It is the contention of the 1st respondents that the vehicle had already been delivered to a one Prabaharan under a delivery note (Ex.P7) and, therefore, the registered owner is not liable. In support of the said contention, the 1st respondent has produced delivery note, receipt and certain related documents marked as Ex.R7 to Ex.R9. However, on a careful scrutiny of the evidence, it is seen that:

- * The Registration Certificate admittedly continues to stand in the name of the 1st respondent;
- * No document evidencing transfer of ownership in accordance with Section 50 of the Motor Vehicles Act has been produced;
- * No material is placed to show that the alleged purchaser had applied for transfer before the registering authority;
- * The alleged transaction is not corroborated by any independent witness or statutory record.

The delivery note relied upon by the 1st respondents, at best, evidences transfer of possession or a private arrangement between the parties. Such a document does not amount to a legal transfer of ownership nor does it absolve

the registered owner from the statutory liability towards third parties. Therefore, the contention that the 1st respondent is not liable on account of execution of a delivery note is unsustainable. In the absence of statutory transfer of ownership as contemplated under the Motor Vehicles Act, the registered owner cannot escape liability towards third parties as already discussed in detail in point No.1.

The delivery note, at best, evidences transfer of possession and Hence, the 1st respondent, being the registered owner, remains liable, and the transferee in possession, if proved, can be held jointly liable or bound to indemnify. The documents produced by the 1st respondent, being private in nature and not supported by statutory compliance, cannot be accepted as conclusive proof of transfer of ownership. Further, the circumstances surrounding the production of such documents also create a reasonable doubt as to their genuineness, particularly in the absence of contemporaneous official records.

Therefore, this Tribunal holds that the 1st respondent continues to be the registered owner of the offending vehicle as on the date of accident and cannot escape liability towards third parties on the basis of an alleged private sale. It is to be noted that the 1st respondent vehicle has no coverage of Insurance Policy at the time of accident and admitted by RW1. For that reason alone the insurance company of the 1st respondent not added as a party. The 2nd respondent is concern, the insurer of the petitioner's vehicle. Hence it is appropriate to consider the applicability of the principle of The Hon'ble Supreme Court in Khenyei v. New India Assurance Co. Ltd. (2015 TN MAC 50 (SC)) has held that in cases of composite negligence, the claimant is entitled to recover the entire compensation from any one of the joint tort feasors and it is

open to such party to recover the same from the other wrongdoers.

Analysis of Present Case :

“On a careful appreciation of the oral and documentary evidence, particularly the FIR and other contemporaneous records, this Tribunal finds that the accident occurred solely due to the rash and negligent riding of the rider of the two-wheeler. There is no material to attribute any negligence on the part of the driver of the petitioner’s vehicle . The accident not happened due to composite negligence of both vehicles involved in the accident. The 1st respondent, being the registered owner, is held liable; The rider of the two-wheeler is the tortfeasor; Hence the the guideliness of Khenyei v. New India Assurance Co. Ltd.not applicable to the present case.

“The 2nd respondent is admittedly the insurer of the petitioner’s vehicle and not the offending Vehicle car. In the absence of any negligence attributable to the driver of the petitioner’s vehicle, the 2nd respondent cannot be fastened with liability to pay compensation for the act of a third party. There exists neither statutory liability nor contractual obligation on the part of the 2nd respondent to indemnify the liability arising out of the negligence of the rider of the uninsured two-wheeler and hence there is no liability caust upon the 2nd respondent.

In the present case, though the negligence is primarily attributed to the rider of the two-wheeler, the fact remains that the said vehicle was uninsured. The claimants, being third parties, cannot be left remediless.“ Hence, the Tribunal holds that the rider of the two-wheeler and the 1st respondent, being

the registered owner of the said vehicle, are jointly and severally liable to pay the compensation. Being the rider of the two wheeler not added a party and hence the 1st respondent alone is responsible to compensation to the petitioners in MCOP No.168/2018, 170/2018 and 171/2018 then permitted to take recourse against the said rider / possessor of vehicle of the two wheeler as per the theory of pay & recovery method. The point No.2 is answered accordingly..

In the result, the petition's in MCOP No.168/2020,170/2018 & 171/2018 are partially allowed as against the 1st respondent as follows:-

(a) The petitioner in **MCOP. 168/2018** awarded a compensation of Rs.2,87,886/- (**Rupees Two Lakh Eighty Seven Thousand Eight Hundred and Eighty Six Only**) (Less waiver of interest ordered if any in case of dismissed on default). The 1st Respondent is directed to deposit the said award amount along with interest at the rate of 7.5% from the date of the petition till the date of realization within 2 months from the date of order to the credit of the Bank Account No.**42888609189**, IFSC Code No.SBIN0000934, State Bank of India, Tirupattur Main Branch, directly by NEFT/RTGS mode and then recover the same from the rider/ possessor of vehicle as per the Theory of PAY & RECOVERY method. .

(b) The petitioner in **MCOP. 170/2018** awarded a compensation of Rs.1,89,443/- (**Rupees One Lakh Eighty Nine Thousand Four Hundred and Forty Three Only**) (Less waiver of interest ordered if any in case of dismissed on default). The 1st Respondent is directed to deposit the said award amount along with interest at the rate of 7.5% from the date of the petition till the date of realization within 2 months from the date of order to the credit of the Bank

Account No.**42888609189** , IFSC Code No.SBIN0000934, State Bank of India, Tirupattur Main Branch, directly by NEFT/RTGS mode and then recover the same from the rider/ possessor of vehicle as per the Theory of PAY & RECOVERY method.

(c) The petitioner in **MCOP. 171/2018** awarded a compensation of Rs.7,45,419/-(**Rupees Seventy Lakh Fourty Five Thousand Four Hundred and Nineteen Only**) (Less waiver of interest ordered if any in case of dismissed on default). **The 1st Respondent is directed to deposit the said award amount along** with interest at the rate of 7.5% from the date of the petition till the date of realization within 2 months from the date of order to the credit of the Bank Account No.**42888609189** , IFSC Code No.SBIN0000934, State Bank of India, Tirupattur Main Branch, directly by NEFT/RTGS Mode and then recover the same from the rider/ possessor of vehicle as per the Theory of PAY & RECOVERY method.

(d) The petitioner in MCOP: 168/2018 is permitted to withdraw the deposit amount on condition that to pay the remaining Court Fee of Rs.1879/- within 3 weeks from the date of receipt of copy of order.

(e) The petitioner in MCOP: 170/2018 is permitted to withdraw the deposit amount on condition that to pay the remaining Court Fee of Rs.894/- within 3 weeks from the date of receipt of copy of order

(f) The petitioner in MCOP: 171/2018 is permitted to withdraw the deposit amount on condition that to pay the remaining Court Fee of Rs.6454/- within 3 weeks from the date of receipt of copy of order.

(g) If the remaining court fee not paid within the stipulated time, the petitioners are not entitled to claim interest for the aforesaid period.

(h) The disbursement of the amount shall be made by direct transfer to credit of his account by NEFT/RTGS mode given below.

(i) Advocate fee fixed for MCOP No. 168/2018 as Rs.8758/- shall be paid by NEFT/RTGS mode.

(j) Advocate fee fixed for MCOP No. 170/2018 as Rs.6789/- shall be paid by NEFT/RTGS mode.

(k) Advocate fee fixed for MCOP No. 171/2018 as Rs.14,455/- shall be paid by NEFT/RTGS mode.

(l) The 1st respondent is directed to pay a sum of **Rs.11166/-** as the cost to the minor petitioner in MCOP No.168/2018 tabulated there in.

(m) The 1st respondent is directed to pay a sum of **Rs.8314/-** as the cost to the minor petitioner in MCOP No.170/2018 tabulated there in.

(n) The 1st respondent is directed to pay a sum of **Rs.21440/-** as the cost to the petitioner in MCOP No.171/2018 tabulated there in.

(o) The 2nd respondent is concern the insurer of the vehicle belonged Petitioner No. 170/2018. Though the insurance remains in force at the time of accident, they cannot cannot claim compensation from their own insurance company. ***The petitioner is not third party to the 2nd respondent company.***

It is clarified that the damage to the vehicle of the petitioners HUNDAI- I 20 after the accident occurred. It is also established that the 2nd respondent almost discharged its contractual liability (OD) as per the terms of insurance. Hence the tribunal not inclined to afford any relief as against 2nd respondent. ***It is concluded that the claim against 2nd respondent is herewith dismissed.***

29. Following the Judgment of the Hon'ble High Court of the Madras in M/s Cholamandal MS General Insurance Co.Ltd. /Vs/ Ayyanar and others reported in 2020(4) CTC 272, no decree is prepared. All the parties are entitled to free copies of award as per section 168(2) of Motor Vehicles Act

Other necessary Particulars

MCOP No.168/2018

Date of petition	:	Respondent's side
Date of Award	:	24.04.2026
Amount of compensation claimed is	:	Rs.50,00,000/-
Amount of compensation awarded by this tribunal is	:	Rs.2,87,886/-
Court fee payable for the said amount is	:	Rs.2252/-
Court fee already paid is	:	Rs.393/-
Balance court fee to be paid is	:	Rs.1879/-

Cost List for MCOP NO.168/2018

Particulars	Petitioner side	Respondent's side
Court fees	Rs. 2252.00	
Vakalath Nama Stamp	Rs. 42.00	
Process fee	Rs. 14.00	
Advocate fee	Rs.8758.00	----
Stamp of documents	--	
Typing charges	Rs. 100.00	
Total	Rs. 11166.00	

Other necessary Particulars**MCOP No. 170/2018**

Date of petition	:	Respondent's side
Date of Award	:	24.04.2026
Amount of compensation claimed is	:	Rs.25,00,000/-
Amount of compensation awarded by this tribunal is	:	Rs.1,89,443/-
Court fee payable for the said amount is	:	Rs.1269/-
Court fee already paid is	:	Rs.375/-
Balance court fee to be paid is	:	Rs.894/-

Cost List for MCOP NO.170/2018

Particulars	Petitioner side	Respondent's side
Court fees	Rs.1269.00	
Vakalath Nama Stamp	Rs. 42.00	
Process fee	Rs.14.00	
Advocate fee	Rs.6789.00	----
Stamp of documents	Rs.100.00	
Typing charges	Rs. 100.00	
Total	Rs.8314.00	

Other necessary Particulars**MCOP No. 171/2018**

Date of petition	:	Respondent's side
Date of Award	:	24.04.2026
Amount of compensation claimed is	:	Rs.50,00,000/-

Amount of compensation awarded by this tribunal is	:	Rs.7,45,419/-
Court fee payable for the said amount is	:	Rs.6829/-
Court fee already paid is	:	Rs.375/-
Balance court fee to be paid is	:	Rs.6454/-

Cost List for MCOP NO.171/2018

Particulars	Petitioner side	Respondent's side
Court fees	Rs.6829.00	
Vakalath Nama Stamp	Rs. 42.00	
Process fee	Rs. 14.00	
Advocate fee	Rs.14455.00	----
Stamp of documents	---	
Typing charges	Rs. 100.00	
Total	Rs.21,440.00	

Dictated to Steno Typist and directly typed by him in my laptop, corrected, pronounced by me in the open Tribunal on **24th day of April 2026.**

Special Subordinate Judge(FAC),
Motor Accident Claims Tribunal,
Tirupattur, Tirupattur District.

Petitioner Side Witness:-

PW1 Anandan
PW2 Narendiran
PW3 Bagavathy

Respondent side witness:-

RW1 Agamin
 RW2 Prabhurajan
 RW3 K. Vengatesan
 RW4 Sundaresan

Petitioner side Exhibits:

Ex.P1 Copy of FIR
 Ex.P2 MIOT hospital Discharge summary of PW1
 Ex.P3 Copy of RC of the two wheeler bearing Reg. No. TN 83 Y 3874
 Ex.P4 Copy of MVI Report of the two wheeler bearing Reg. No. TN 83 Y 3874
 Ex.P5 Copy of DL of the two wheeler bearing Reg. No. TN 83 Y 3874
 Ex.P6 Copy of RC of the car bearing Reg. No. TN 83 V 9608
 Ex.P7 Copy of Insurance policy of the car bearing Reg. No. TN 83 V 9608
 Ex.P8 Copy of DL of the car bearing Reg. No. TN 83 V 9608
 Ex.P9 Copy of MVI Report of the car bearing Reg. No. TN 83 V 9608
 Ex.P10 MIOT hospital original medical Bills Rs.1,05,311/-
 Ex.P11 Copy of Aadhar card of the Pw1
 Ex.P12 Copy of Bank Pass Book of the Pw1
 Ex.P13 Copy of Pan card of the Pw1
 Ex.P14 Copy of Charge sheet
 Ex.P15 Certified order Copy of CMP. No.3182/2018
 Ex.P16 MIOT hospital Discharge summary of PW2
 Ex.P17 MIOT hospital medical Bills Rs. 1,46,201/-
 Ex.P18 Copy of Aadhar card of the Pw2
 Ex.P19 Copy of Bank Pass Book of the Pw2
 Ex.P20 Copy of Pan card of the Pw2
 Ex.P21 MIOT hospital Discharge summary of PW3
 Ex.P22 MIOT hospital medical bills Rs.5,79,155/-
 Ex.P23 Copy of Aadhar card of the Pw3
 Ex.P24 Copy of Bank Pass Book of the Pw3
 Ex.P25 Copy of Pan card of the Pw3

Court side Exhibits :

Nil

Respondent side Exhibits:

- Ex.R1 Copy of Insurance Policy of Hyndai 1-20 TN 83 V 9608
- Ex.R2 2nd respondent company investigation report
- Ex.R3 Copy of Charge sheet
- Ex.R4 Marriage invitation
- Ex.R5 A photo of the bride and groom on a motorcycle.
- Ex.R6 Disability certificate (Rw2)
- Ex.R7 Copy of Delivery note (two wheeler)
- Ex.R8 Copy of receipt for the newly purchased without kier vehicle on 15.04.2016.
- Ex.R9 Photo, C.D, Receipt
- Ex.R10 Copy of Complaint
- Ex.R11 Copy of FIR
- Ex.R12 Copy of Observation Mahazar
- Ex.R13 Copy of Rough sketch
- Ex.R14 Copy of Accident Register
- Ex.R15 Copy of Charge sheet
- Ex.R16 Copy of Insurance Policy of Hyndai 1-20 TN 83 V 9608
- Ex.R17 2nd respondent company investigation report
- Ex.R18 Copy of Charge sheet

Note: The Rw1 namely Ahamin examined as Rw1 on 23.01.2025 itself and Ex.R1 – R3 were marked. Due to oversight the rank of the witness subsequently examined namely Praburajan, Inspector of police Ambur taluk police station, Sundaresan were erroneously ranked as Rw 1-3 instead of Rw2 -4 respectively. The documents marked through the said Rw2 – 4 were rearranged as Ex.R4 to R18 as per the docket order dated.24.04.2026.

Special Subordinate Judge(FAC),
Motor Accident Claims Tribunal,
Tirupattur, Tirupattur District.