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C.M.A.No.3516 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.11.2025

CORAM:

THE HONOURABLE **Mrs. JUSTICE R.KALAIMATHI**

C.M.A.No.3516 of 2025

and

CMP.No.29207 of 2025

The Superintendent of Police,
Kanchipuram.

... Appellant

vs.

Raji

...Respondent

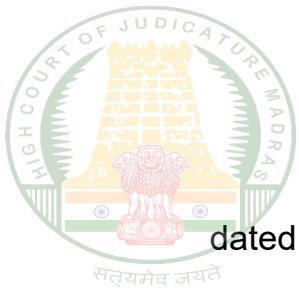
PRAYER: Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, to set aside the Award dated 18.10.2023 passed in M.C.O.P.No.57 of 2016 on the file of the Motor Accident Claims Tribunal, Additional District Court, Chengalpattu.

For Appellant : Mr.P.Gurunathan
Addl.Govt.Pleader

For Respondent : Mr.Ruban Prabhu

JUDGMENT

This Civil Miscellaneous Appeal has been preferred by the respondent/Superintendent of Police, Kancheepuram against the award



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dated 18.10.2023 passed in M.C,O.P.No.57 of 2016 on the file Motor Accident Claims Tribunal /Additional District Court, Chengalpattu, on the quantum of compensation.

2. Claim petition was filed under Section 166 of the Motor Vehicles Act, 1988, claiming compensation of Rs.7,00,000/- for the injuries sustained by the claimant in a road traffic accident that occurred on 03.01.2016.

3. The Tribunal upon consideration of evidence and after hearing the arguments advanced by either side, granted compensation of Rs.5,35,233/- with interest at the rate of 6% p.a. payable by the respondent. The amounts awarded by the Tribunal under various heads are tabulated hereunder :

S.No.	Heads	Amount awarded by the Tribunal(Rs.)
1	For partial permanent disability (69% x Rs.5000/-)	3,45,000/-
2	For loss of earning during the treatment period	1,45,710/-
3	For transport charges	5,000/-
4	For extra nourishment	5,000/-
5	For medical expenses	34,523/-
	Total	5,35,233/-



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4. It is the evidence of P.W.1 that on 03.01.2016 at about 6.10 a.m., the claimant along with his father, Ellappan were walking on the extreme left side of the road in front of the Battai bus stop, a tempo traveller passenger van bearing Reg.No.TN.21G-0871 belonging to the respondent, driven by the driver in a high speed and in a negligent manner came to the mud road and hit upon the claimant and his father. After hitting them, the passenger van rolled twice and fell into the ditch. Due to the said impact, the claimant sustained grievous injuries and his father succumbed to the accidental injuries.

5. It has come on record through the evidence of P.W.1 that he was working as a Store Operator at M/s.Sanmina India Private Limited, Oragadam and earning a sum of Rs.14,500/- p.m. He took initial treatment at Government Hospital at Chengalpattu. He suffered head injury and was admitted at Deepam Hospital on 04.01.2016 and discharged on 09.01.2016. The District Medical Board assessed his disability at 69% as per Disability Certificate - Ex.C1. The Tribunal has taken the percentage method to award compensation for the disability suffered by the claimant. P.W.1 would state that he was removed from service after the accident and that he is not in a position to do his work as previously done by him. He suffers from giddiness and is unable to lift weight.



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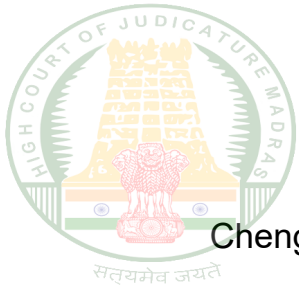
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6. Under such circumstances, in consideration of the medical records and Disability Certificate - Ex.C1, coupled with the evidence of P.W1, functional disability is taken as 69% and the Tribunal has awarded Rs.5000/- per percentage cannot be found fault with.

7. Due to the effects of injury, the Tribunal has granted a sum of Rs.1,45,710/- for loss of earning during the treatment period (Rs.14,571/- x 10 months) , a sum of Rs.5,000/- for transport to hospital, a sum of Rs.5,000/- for extra nourishment and a sum of Rs.34,523/- towards medical expenses as per Ex.P.7 to Ex.P.9, totalling to Rs.5,35,233/-.

8. Relying upon the testimony of P.W1 and further Ex.C1 – Disability Certificate and medical records, the amounts awarded by the Tribunal under various heads appears to be reasonable and acceptable and it does not warrant any interference by this Court.

9. In view of the aforestated narrative, this Civil Miscellaneous Appeal stands dismissed. Sequel to this, the Award dated 18.10.2023 passed by the Motor Accident Claims Tribunal, Additional District Court,



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Chengalpattu in M.C.O.P.No.57 of 2016 stands confirmed. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

26.11.2025

Index : Yes/No
Speaking / Non-speaking order
kkd

To:

The Motor Accident Claims Tribunal,
Additional District Court,
Chengalpattu.



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R.KALAIMATHI, J.

kkd

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