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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **28.11.2025**

CORAM

THE HONOURABLE MRS JUSTICE R. KALAIMATHI

C.M.A.No.3578 of 2025

Kishore

.. Appellant

Vs.

1. Krishnakumar

2. The Manager,
ICICI Lombard General Insurance Company Limited,
No.1/D, Chottabai Street,
Nungambakkam, Chennai

..Respondents

Prayer: This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1988, to enhance the award against the judgment and decree dated 07.08.2025 and made in M.A.C.T.O.P.No.428 of 2022 on the file of Motor Accident Claims Tribunal, Tiruvannamalai (In the Court of the Special Sub Court, Thiruvannamalai).

For Appellant : Mr.A.G.F.Terry Chella Raja

ORDER

Heard the learned counsel for the appellant.

2. Admit.

3. It is learnt that the claimant suffered fractures to his left leg:



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- “i. Closed Proximal Third Shaft of femur fracture left side – status post open IM nailing femur (done elsewhere)*
ii. Compound Grade 3A comminuted lateral condyle of proximal tibia fracture with poor soft tissue condition – left side
iii. Compound Grade 3 B comminuted Bimalleolar Ankle fracture with skin necrosis over dorsum of foot and distal third leg with Grade 4 calcaneal pressure sore – left side.”

4. The District Board has assessed the disability at 26%.

5. In consideration of the above said details and fractures suffered by the appellant / claimant, in order to have effective justice, the District Medical Board, Tiruvannamalai, is directed to assess the disability of the claimant afresh. The claimant shall produce all the relevant medical records before the Medical Board and the Medical Board shall submit the Disability Certificate to this Court on or before 09.01.2026.

6. Issue notice to the respondents, returnable within 19.01.2026.

7. List the matter on 19.01.2026.

28.11.2025

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To

1. The Motor Accidents Claims Tribunal / The Special Sub Court, Thiruvannamalai.
2. The District Medical Board, Tiruvannamalai,



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R.KALAIMATHI, J.

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