

C.M.A(MD)No.514 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2026

CORAM:

**THE HON'BLE MR JUSTICE N.ANAND VENKATESH
AND
THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN**

C.M.A(MD)No.514 of 2026

and

C.M.P.(MD).No.5222 of 2026

The Branch Manager,
Reliance General Insurance Company Limited,
No.55, Sri Meenakshi Plaza,
I Floor, 80 Feet Road,
Anna Nagar,
Madurai-625 020.

... Appellant

Vs.

1.M.Chinnasamy

2.Kalaimani

3.P.Muthupandiyan

... Respondents

PRAYER:- Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, to set aside the award passed in M.C.O.P.No. 531 of 2022 on the file of the Motor Accident Claims Tribunal (Special District Judge), Madurai, dated 16.08.2024.

1/7



WEB COPY



C.M.A(MD)No.514 of 2026

For Appellant : Mrs.K.R.Shiva Shankari

For R-3 : Mr.A.Karthik

J U D G M E N T

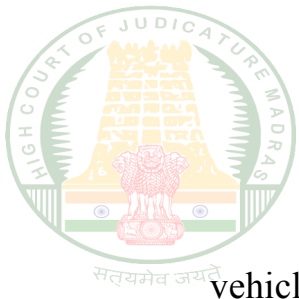
**(Judgment of the Court was delivered by
N.ANAND VENKATESH, J.)**

This appeal has been filed by the Insurance Company challenging the award passed by the Motor Accident Claims Tribunal, Special District Court to deal with the MCOP Cases in M.C.O.P.No.531 of 2022 dated 16.08.2024.

2. Heard the learned counsel on either side.

3. Respondent Nos.1 and 2 are the claimants and they are the parents of the deceased. The case of the claimants is that their son was riding a two-wheeler on 12.12.2021 and at about 06.15 p.m., when the vehicle was near Pungankulam Mayan Mary Thottam, the offending vehicle was driven in a rash and negligent manner and it hit the two-wheeler on the rear side, as a result, the deceased was thrown out of the

2/7



C.M.A(MD)No.514 of 2026

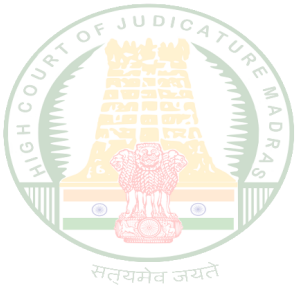
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vehicle and he sustained grievous injuries and he succumbed to the injuries. It is under these circumstances, the claim petition came to be filed before the Tribunal.

4. The Tribunal, on appreciation of evidence of P.W.1 and P.W.2, who is the eye witness to the incident, came to a conclusion that the accident had happened only due to the rash and negligent driving on the part of the driver of the offending vehicle.

5. Having rendered this finding, the Tribunal fixed the total compensation at Rs.25,30,096/- (Rupees Twenty Five Lakhs Thirty Thousand and Ninety Six only) in the following manner:

Loss of Income (Rs.1,34,172 * 18)	24,15,096/-
Loss of Parental consortium	80,000/-
Funeral Expenses	15,000/-
Loss of Estate	15,000/-
Transport Expenses	5,000/-
Total	25,39,096/-



C.M.A(MD)No.514 of 2026

WEB COPY

6. The above compensation was directed to be paid along with interest at the rate of 7.5% per annum.

7. The learned counsel appearing for the appellant submitted that it is a case of head on collision and on carefully reading of the evidence of P.W.2, it can be seen that there was also contributory negligence on the part of the deceased and therefore, the Tribunal ought not to have attributed the entire negligence on the offending vehicle.

8. On carefully going through the award passed by the Tribunal, it is seen that the Tribunal had appreciated the evidence of P.W.2. The Tribunal did not find any contra evidence let in on the side of the appellant / Insurance Company.

9. The Tribunal also took into consideration the fact that the FIR was registered against the Driver of the offending vehicle.



C.M.A(MD)No.514 of 2026

WEB COPY

10. In our considered view, the finding was rendered by the Tribunal on appreciation of evidence and the said finding does not suffer from any perversity. The compensation that has been fixed by the Tribunal is also reasonable. Therefore, we do not find any ground to interfere with the award passed by the Tribunal.

11. In the result, this Civil Miscellaneous Petition is dismissed. There shall be a direction to the appellant / Insurance Company to deposit the entire compensation amount with interest to the credit of M.C.O.P.No.531 of 2022 on the file of the Motor Accident Claims Tribunal, Special District Court to deal with the MCOP Cases, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

[N.A.V., J.]

[K.K.R.K., J.]

20.04.2026

NCC :Yes/No

Index :Yes/No

TSG

5/7



C.M.A(MD)No.514 of 2026

To

WEB COPY

1.The Motor Accident Claims Tribunal (Special District Judge),
Madurai.

2.The Record Keeper (Vernacular Records),
Madurai Bench of Madras High Court,
Madurai.



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C.M.A(MD)No.514 of 2026

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AND
K.K.RAMAKRISHNAN,J.

TSG

C.M.A(MD)No.514 of 2026

20.04.2026