

C.M.A(MD)Nos.163, 164 & 165 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2026

CORAM:

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**C.M.A(MD)Nos.163, 164 & 165 of 2026
and
C.M.P(MD)Nos.1507, 1510 & 1515 of 2026**

1.C.M.A(MD)No.163 of 2026:

M/s.United India Insurance Company Limited,
Represented by Branch Manager,
Shop No.74/A, 1st Floor,
Lucky Land Plaza, Salai Road, Thillai Nagar,
Tiruchirappalli – 620 018. ... Appellant/2nd Respondent

-VS-

1.R.Bharathi ... 1st Respondent/
Petitioner

2.L S G & Co, No.5, Jenne Plaza,
Bharathiyar Salai, Cantonment,
Tiruchirappalli – 620 001.

3.S.Kulandaisamy

1/13



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4.K.Sathishkumar

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5.National Insurance Company, Branch 12,
Muruga Complex, K.K. Road,
Villupuram – 605 602.

... Respondents 2 to 5/
Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the award dated 18.03.2025 in M.C.O.P.No.426 of 2021 on the file of the Motor Accident Claims Tribunal, Special District Court No.1, Tiruchirappalli.

For Appellant : Mr.K.Sivakumar

For RR 1 to 4 : Mr.N.Sudhagar Nagaraj

2.C.M.A(MD)No.164 of 2026:

M/s.United India Insurance Company Limited,
Represented by Branch Manager,
Shop No.74/A, 1st Floor,
Lucky Land Plaza, Salai Road, Thillai Nagar,
Tiruchirappalli – 620 018. ... Appellant/2nd Respondent

-VS-

1.T.Vijayaram Ashok

... 1st Respondent/
Petitioner

2.L S G & Co, No.5, Jenne Plaza,
Bharathiyar Salai, Cantonment,
Tiruchirappalli – 620 001.



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WEB COPY 3.S.Kulandaisamy

4.K.Sathishkumar

5.National Insurance Company, Branch 12,
Muruga Complex, K.K. Road,
Villupuram – 605 602.

6.R.Bharathi

... Respondents 2 to 6/
Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the award dated 18.03.2025 in M.C.O.P.No.432 of 2021 on the file of the Motor Accident Claims Tribunal, Special District Court No.1, Tiruchirappalli.

For Appellant : Mr.K.Sivakumar

For RR 1 to 4 : Mr.N.Sudhagar Nagaraj

3.C.M.A(MD)No.165 of 2026:

M/s.United India Insurance Company Limited,
Represented by Branch Manager,
Shop No.74/A, 1st Floor,
Lucky Land Plaza, Salai Road, Thillai Nagar,
Tiruchirappalli – 620 018. ... Appellant/2nd Respondent

-VS-

1.Ponnammal

3/13



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2.Thirumal

3.R.Suseela

4.T.Parasuraman

... Respondents 1 to 4/
Petitioners

5.L S G & Co, No.5, Jenne Plaza,
Bharathiyar Salai, Cantonment,
Tiruchirappalli – 620 001.

6.S.Kulandaisamy

7.K.Sathishkumar

8.National Insurance Company, Branch 12,
Muruga Complex, K.K. Road,
Villupuram – 605 602.

9.R.Bharathi

... Respondents 5 to 9/
Respondents

PRAYER: Civil Miscellaneous Appeal filed under Section 173 of the Motor Vehicles Act, 1988, against the award dated 18.03.2025 in M.C.O.P.No.433 of 2021 on the file of the Motor Accident Claims Tribunal, Special District Court No.1, Tiruchirappalli.

For Appellant : Mr.K.Sivakumar

For RR 1 to 4 : Mr.N.Sudhagar Nagaraj



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COMMON JUDGMENT

**(Judgment of the Court was delivered by
G.K.ILANTHIRAIYAN, J.)**

All the appeals are arising out of the common award passed in M.C.O.P.Nos.426, 432 and 433 of 2021, dated 18.03.2025, on the file of the Motor Accident Claims Tribunal, Special District Court No.1, Tiruchirappalli, thereby awarding compensation to the claimants.

2.All the claim petitions were filed by the claimants arising out of a one accident stating that on 14.04.2021 at about 07.00 p.m., near Vannankovil, Care College, on the Dindigul to Trichy National Highway road, the deceased and injured were travelling as occupants in a car bearing Registration No.TN-45-AK-9218, proceeding from west to east. At that time, a lorry bearing Registration No.TN-45-AT-5155, which was proceeding in front of their vehicle in the same direction, suddenly turned to its right side in a rash and negligent



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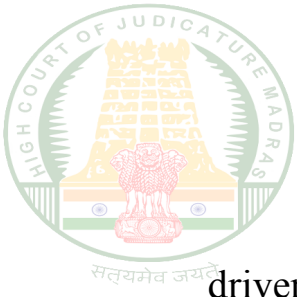
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manner without any signal turned and without due care. As a result, the car in which the deceased and the injured were travelled dashed into the rear of the lorry. Due to the impact of the accident, one person died and others sustained grievous injuries.

3.On the complaint, the F.I.R was registered for the offences punishable under Sections 279, 337 and 304(A) of I.P.C.

4.In order to prove the claim, the claimants had examined P.W.1 to P.W.7 and marked Exs.P1 to P31. On the side of the respondents therein, they examined R.W.1 and R.W.2 and marked Ex.R.1 to Ex.R.4. The Court witness documents were marked as Ex.C.1 and Ex.C.2.

5.On perusal of the oral and documentary evidence, the Tribunal concluded that the accident had occurred only due to the rash and negligent driving of the third respondent herein, who is the



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driver of the second respondent's lorry. Therefore, the appellant being the insurer of the second respondent's vehicle is liable to pay compensation to the claimants. Aggrieved by the compensation insofar the quantum is concerned, these appeals have been filed by the appellant/United India Insurance Company Limited.

6.The learned counsel appearing for the appellant submitted that insofar as the appeal in C.M.A(MD)No.163 of 2026 arising out of the claim petition in M.C.O.P.No.426 of 2021 filed by the injured claimant is concerned, the Tribunal adopted the multiplier of '17' instead of '15' and awarded compensation. Insofar as the appeals in C.M.A(MD)Nos.164 and 165 of 2026 are concerned, the Tribunal rightly awarded the compensation.

7.The learned counsel appearing for the first respondent/claimant in C.M.A(MD)No.163 of 2026 fairly conceded that the Tribunal ought not to have applied the multiplier of '17' and



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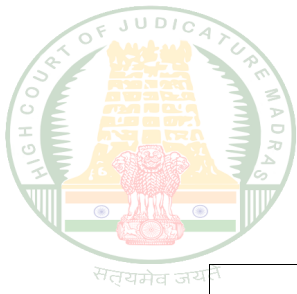
that the applicable multiplier for the claimant is only '15' as per the decision of the Hon'ble Supreme Court of India in the case of ***Sarla Verma and others Delhi Transport Corporation and another [2009 (2) TN MAC 1 (SC)]*** .

8. Accordingly, the award passed in M.C.O.P.No.426 of 2021, dated 18.03.2025 is modified as follows:

9. By applying the multiplier of '15', the loss of earning power is recalculated as follows:

$$\text{Rs.}12,000 \times 12 \times 15 = \text{Rs.}21,60,000/-.$$

10. Insofar as the amounts awarded under the other heads, namely loss of future prospects, medical expenses, pain and sufferings, attender charges and extra nourishment, the same are confirmed as awarded by the Tribunal. Accordingly, this Court re-determines the compensation as follows:



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Under the Head of Compensation	Amount
Loss of earning power	Rs.24,48,000/-
Loss of future prospects	Rs. 9,79,200/-
Medical Expenses	Rs. 1,55,421/-
Pain and Sufferings	Rs. 50,000/-
Attender charges	Rs. 12,000/-
Extra nourishment	Rs. 30,000/-
Total	Rs.33,86,621/-

11.Thus, the claimant in M.C.O.P.No.426 of 2021 is entitled to the modified compensation of **Rs.33,86,621/-** with interest at the rate of 7.5% per annum from the date of claim petition till the date of realisation, as against the sum of Rs.36,74,621/- with 7.5% interest per annum awarded by the Tribunal.

12.Accordingly, **C.M.A(MD)No.163 of 2026 is partly allowed** to the extent indicated above. In fine, the award passed in M.C.O.P.No.426 of 2021, dated 18.03.2025, on the file of the Motor



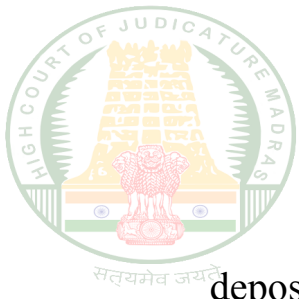
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Accident Claims Tribunal, Special District Court No.1, Tiruchirappalli, is modified. The appellant is directed to deposit the modified award amount with interest at the rate of 7.5% per annum from the date of claim petition till the date of realisation, less the amount already deposited, if any, as awarded by this Court, to the credit of the claim petition, within a period of six weeks from the date of receipt of a copy of this judgment, if not already deposited. On such deposit, the claimant is permitted to withdraw the entire award amount with proportionate interest and costs by filing formal permission petition before the Tribunal.

13.In fine, the award passed in M.C.O.P.No.432 and 433 of 2021, dated 18.03.2025, on the file of the Motor Accident Claims Tribunal, Special District Court No.1, Tiruchirappalli, are confirmed.

C.M.A(MD)Nos.164 and 165 of 2026 are dismissed. The appellant is directed to deposit the entire award amount with interest and costs as awarded by the Tribunal, less the amount already



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deposited, to the credit of the claim petition, within a period of six weeks from the date of receipt of a copy of this judgment, if not already deposited. On such deposit, the claimant in M.C.O.P.No.432 of 2021 is permitted to withdraw the entire award amount with proportionate interest and costs by filing formal permission petition before the Tribunal and the claimants 1 and 2 in M.C.O.P.No.433 of 2021 are permitted to withdraw their respective shares with proportionate interest and costs by filing formal permission petition before the Tribunal. No costs. Consequently, connected Miscellaneous Petitions are closed.

[G.K.I.J.] & [R.P.J.,]
11.02.2026

NCC :Yes/No
Index :Yes/No
Internet :Yes
ps



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To

1.The Motor Accident Claims Tribunal,
Special District Court No.1,
Tiruchirappalli.

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



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G.K. ILANTHIRAIYAN, J.
AND
R. POORNIMA, J.

ps

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