



WEB COPY



C.R.P.No.2931 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2026

CORAM:

THE HON'BLE MR. JUSTICE N. ANAND VENKATESH

C.R.P.No.2931 of 2022
and C.M.P.No.15895 of 2022

1. Balasubramanian
2. Ramalingam
3. Vijayalakshmi

... Petitioners

Vs.

1. Manimaran
2. Sivakumar
3. Vadivelu

... Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order and decreetal order passed by the learned Sub Judge, Pondicherry, in I.A.No.687 of 2018 in MACTOP No.809 of 2010, dated 05.03.2019.

For Petitioners : Mr.B.Balavijayan

ORDER

This Civil Revision Petition has been filed under Article 227 of the Constitution of India, challenging the order dated 05.03.2019 passed by the learned Principal Sub Judge, Pondicherry, in I.A.No.687 of 2018 in



C.R.P.No.2931 of 2022

MACTOP No.809 of 2010, wherein the Court below dismissed the application filed by the petitioners under Order I Rule 10(2) of the Code of Civil Procedure to implead the third respondent herein as the proposed 6th respondent in the claim petition.

2. This Court heard Mr.B.Balavijayan, the learned counsel appearing for the petitioners, carefully went through the materials available on record and perused the order passed by the Tribunal.

3. The claim petition has been filed by the first respondent seeking payment of compensation for the injuries sustained by him in a motor accident. In the said claim petition, the petitioners were arrayed as respondents 3 to 5. According to the petitioners, the offending vehicle had already been sold in favour of the proposed sixth respondent, who is the third respondent herein, therefore, if the compensation is awarded, the actual liability must be directed against the subsequent purchaser, who is the third respondent herein.

4. The Tribunal, while considering the claim made by the petitioners, came to the conclusion that there is absolutely no change in the name in the Registration Certificate (RC) and the offending vehicle

2/5



C.R.P.No.2931 of 2022

continued to stand in the name of the deceased Janakiraman whose legal heirs were impleaded in the claim petition. In view of the same, by virtue of the settled position of law, the person whose name is found in the RC alone will be considered as the owner of the vehicle and the liability will be fixed based on the same. Accordingly, the Tribunal dismissed the impleading application. Aggrieved by the same, the present civil revision petition has been filed before this Court.

5. In the considered view of this Court, it is now too well settled that the name of the person found in the Registration Certificate alone is recognized as the owner. If the vehicle had been transferred without effecting the change in name, the original owner cannot escape from the liability and more particularly, in a case where the claim is made by a third party. In view of the same, impleading the proposed sixth respondent in the claim petition will not have any bearing while deciding the main claim petition. The proposed sixth respondent is neither a necessary party nor a proper party to the proceedings.

6. If ultimately the liability is cast upon the petitioners, it is left open to the petitioners to recover the compensation amount paid by them from the alleged purchaser of the vehicle, who, according to the petitioners,



C.R.P.No.2931 of 2022

was the reason behind the accident. This clarity will sufficiently take care of the grievance expressed by the petitioners.

7. In the result, the order dated 05.03.2019, passed by the Tribunal in I.A.No.687 of 2018 in MACTOP No.809 of 2010, is sustained.

8. Accordingly, this Civil Revision Petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

13.08.2026

Neutral Citation: Yes/No
ham

To

The Principal Sub Judge,
Principal Sub court,
Pondicherry,



WEB COPY



C.R.P.No.2931 of 2022

N. ANAND VENKATESH, J.

ham

***C.R.P.No.2931 of 2022
and C.M.P.No.15895 of 2022***

13.08.2026