



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2015

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

C.R.P.(MD).No.238 of 2015

and

M.P.(MD).No.1 of 2015

The Oriental Insurance Company Limited,
Rep by its Branch Manager,
Office at No.1, Abdul Rasag Street,
Paly Towers, 1st Floor,
Saidapet, Chennai,
Chennai City.

... Revision Petitioner/Respondent/
Respondent

vs.

Ganapathy

... Respondent/Respondent/Respondent

PRAYER: This Civil Revision Petition filed under Article 227 of the Constitution of India, to call for the records relating the order passed in I.A.No.17 of 2014 in M.C.O.P.No.173 of 2009 dated 18.06.2014 on the file of the (M.C.O.P Tribunal)III Additional District and Sessions Judge, Pattukkottai, Thanjavur District and set aside the same.

For Petitioner : Mr.K.Bhaskaran

O R D E R

The Insurance Company has filed this revision aggrieved by the order permitting the respondent herein, who is the claim petitioner to withdraw the M.C.O.P.No.173 of 2009 from the file of the III Additional District and Sessions Judge and to represent the same before the Consumer Forum within one month from the date of the order.

2.The claim is made with respect of the damage caused to his vehicle by the claimant. As the said claim is not maintainable before the Motor Accident Claims Tribunal liberty was sought from the Tribunal to file a claim petition before the Consumer Forum within one month from the date of the order. Aggrieved by the said order, the Insurance Company has preferred the above said revision.

3.The revision petitioner/Insurance Company cannot have any grievance. The respondent herein had not taken permission for the time taken in the proceedings, before the Motor Accident Claims Tribunal. The claim Tribunal also has granted only one month time for presentation of the petition before the



consumer forum. Therefore, the presentation of the petition before the consumer forum by the claimant is subject to any limitation provided under the Consumer Protection Act, in the absence of any exemption given by the Motor Accident Claims Tribunal, the revision petitioner cannot have any grievance over the order passed by the Tribunal

In the result, the civil revision petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(AE)

/True Copy/

Ssub Assistant Registrar

To

The III Additional District and Sessions Judge(M.C.O.P, Tribunal),
Pattukkottai,Thanjavur District.

+1cc to Mr.K.Bhaskaran, Advocate Sr.No.12591

ns

AA/06.04.2015/2p- 3c/

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