



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

**C.R.P (MD) No.1150 of 2016 (NPD)
and
C.M.P. (MD) .No.5686 of 2016**

Thanikodi

.. Petitioner/Petitioner/
First Respondent

Vs.

1.Parameswari
2.S.Ramalakshmi
3.Minor S.Supratha
4.Minor S.Tamilselvi
5.Pusupathi Ammal

.. Respondents 1 to 5/Respondents
1 to 5/Petitioners

6.The Branch Manager,
United India Insurance Company Limited,
Madurai

.. 6th Respondent/6th Respondent/
2nd Respondent

Prayer : This Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for records and set aside the fair and executable order dated 21.02.2014 passed in I.A.No.209 of 2013 in M.C.O.P.No.4 of 2006 on the file of the Additional District and Sessions Court, (i/c)Theni at Periyakulam and allow the same.

For Petitioner : Mr.J.Barathan

For Respondents : Mr.S.Anand Chandrasekar

ORDER

This revision is directed against the order passed by the learned Additional District and Sessions Judge, Theni at Periyakulam in I.A.No.209 of 2013 in MCOP.No.4 of 2006.

2. The petitioner is the first respondent in M.C.O.P.No.4 of 2006. The respondent 1 to 5 herein filed the claim petition, claiming a compensation of Rs.7,00,000/-. The petitioner was set <https://hcservices.ecourts.gov.in/hcservices/> exparte and an exparte award was passed on 04.06.2010. Subsequently, he filed an application in I.A.No.209 of 2013 to



condone the delay of 175 days in filing the application to set aside the exparte decree. Since the application is dismissed, the present revision has been filed.

3. Heard both side and perused the records.

WEB COPY

4. It is seen from the records that the respondents 1 to 5 filed the claim petition in the year 2006, for the death of the husband of the first claimant and father of other claimants, in a motorcycle accident took place on 09.07.2005. Despite service of notice, the petitioner did not choose to participate in the proceedings. The Tribunal having found that the petitioner has not shown sufficient cause to condone the delay, dismissed the application.

5. Taking into consideration of these undisputed facts, I do not find any irregularity or illegality in the order impugned. In the result, this Civil Revision Petition is dismissed. Consequently, connected miscellaneous petition is closed. No Costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

pjl

To

The Additional District and Sessions Judge,
Theni at Periyakulam.

+1CC to Mr.T.R.JeyaPalam, Advocate Sr.No.29900

+1CC to Mr.Sarabhauman Associates Sr.No.30033

GJM/PEK/29.6.16-2p-4c

C.R.P (MD) No.1150 of 2016 (NPD)
and CMP (MD) No.5686 of 2016
13.06.2016