

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

CRP(NPD).No.629 of 2018

and

CMP.No.3281 of 2018

The New India Assurance Co.Ltd.,
No.45, Moore Street (Third Party Cell),
Vth Floor, Chennai 600 001.

.. Petitioner

Vs

1.N.Ajay Kumar @ Madavan

2.Ravichandran

.. Respondents

PRAYER

Civil Revision Petition filed under Article 227 of the
Constitution of India against the Judgment and Decree passed in
MCOP.No.183 of 2004 on 10.07.2008 on the file of the learned Additional
District and Sessions Judge, FTC III, the Motor Accident Claims Tribunal,
Chennai

For Petitioner

: Mr.J.Chandran

ORDER

According to the revision petitioner, the first respondent has filed a petition in MCOP.No.183 of 2004 against the revision petitioner and the second respondent for compensation. In the above said petition, ex-parte judgment and decree was passed on 10.07.2008. Pursuant to that, the revision petitioner has filed an application to set aside the ex-parte judgment and decree along with a condone delay application, which was also dismissed. Now the revision petitioner has filed the present Civil Revision Petition before this Court challenging the ex-parte judgment and decree dated 10.07.2008.

2. In the light of the above said facts, when the revision petitioner has already filed an application for condoning the delay in filing an application to set aside the ex-parte judgment and decree and the said application has been dismissed, now challenging the said judgment and decree before this Court cannot be entertained and the Civil Revision Petition is liable to be dismissed. However, it is open to the revision petitioner to approach before the appropriate forum, if so advised.

3. The Civil Revision Petition is dismissed with above direction. Consequently, the connected miscellaneous petition is closed.

No costs.

23.02.2018

Note : Issue order copy on or before 25.04.2018

Speaking/Non-Speaking order

Index :Yes/No

Internet:Yes/No

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To

The learned Additional District
and Sessions Judge,
FTC III, the Motor Accident Claims Tribunal,
Chennai



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D. KRISHNAKUMAR J.,

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