



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.R.P. (MD) No.1138 of 2020

K.Saleema : Petitioner/Petitioner/1st Claimant

-Vs-

Cholamandalam MS General
Insurance Co. Ltd.,
Rep. by its Divisional Manager,
Dare House, 2nd Floor,
No.2, NSC Bose Road,
Chennai - 1.

: Respondent/Respondent/2nd Respondent

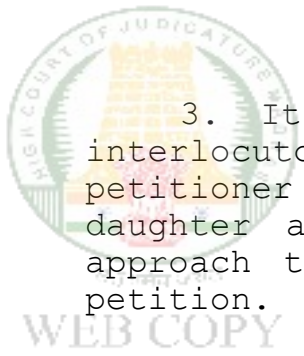
Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Motor Accident Claims Tribunal/1st Additional District Judge, Thoothukudi to number the unnumbered I.A. of 2020 filed in M.C.O.P.No.130 of 2017 and dispose of the same on merits within the time as stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

O R D E R

The petitioner has filed this Civil Revision Petition to direct the learned Motor Accident Claims Tribunal/I-Additional District Judge, Thoothukudi to number the unnumbered I.A. of 2020 filed in M.C.O.P.No.130 of 2017 and dispose of the same on merits within the time as stipulated by this Court.

2.The case of the petitioner is that, on 06.09.2016, the petitioner's husband Karim met with an accident and succumbed to the grievous injuries. Thereafter, the petitioner along with three legal heirs of the deceased Karim, filed Motor Accident Claim Original Petition in M.C.O.P.No.130 of 2017, on the file of the learned Motor Accident Claims Tribunal/I-Additional District Judge, Thoothukudi. On 21.08.2019, the Tribunal has awarded a sum of Rs.14,87,500/- together with interest 7.5%. Now, the petitioner is taking steps to arrange marriage of her elder daughter namely K.Abrose Banu and hence, the petitioner has filed an interlocutory application to withdraw their respective shares in the award amount.



3. It is also stated that due to COVID-19 pandemic, the interlocutory application has not been numbered so far. Since, the petitioner is taking steps to arrange marriage for her elder daughter and have a proposal to buy a home, is constrained to approach this Court by way of filing the present civil revision petition.

4. Considering the limited prayer sought for in this Civil Revision Petition and in view of the peculiar facts and circumstances of this case, without adverting to the merits of the case, this Court directs the learned Judge, Motor Accident Claims Tribunal/I-Additional District Court, Thoothukudi, to number the unnumbered interlocutory application filed in M.C.O.P.No.130 of 2017, within a period of two weeks from the date of receipt of a copy of this order and dispose of the same on merits and in accordance with law, within a period of two months thereafter.

5. Accordingly, this Civil Revision Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (A.E)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

Motor Accident Claims Tribunal/1st Additional District Court,
Thoothukudi.

Copy to: The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.(2)

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ES (CO)
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