



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :20.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

C.R.P. (MD) (NPD) No.1231 of 2014

and

M.P. (MD) No.1 of 2014

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The Oriental Insurance Company Limited,
Divisional Office No.1,
103, TPK, Road,
Madurai-1 and Munsif

... Petitioner/Appellant

-vs-

1.Vasuki
2.Puliyarasi
3.Kanimozhi
4.Babu Manikandan
5.Sangeetha
6.G.Murugan
7.The United India Insurance Co.Ltd.,
No.5/328-D- Savukathali Street,
Paramakudi & Munsifi
8.G.Jayachandran

... Respondents/Respondents

PRAYER: The Civil Revision Petition is filed under Article 227 of Constitution of India, to modify the Mega Lok Adalat award order passed by the High Court Legal Services Committee, Madurai Bench of Madras High Court, Madurai dated 22.02.2014 in CMA(MD) No.676 of 2009 on the file of the Madurai Bench of Madras High Court by incorporation the right of recovery from the 8th respondent herein.

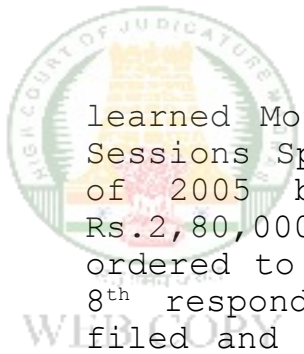
For Petitioner : Mr.C.Karthik
For R-1, R-4 and R-5 : Mr.Subramanian
for Mr.T.A.Ebenezer
For R-7 : Given up
For R-2, 3, 6 and 8 : No appearance

O R D E R

This Civil Revision Petition has been filed to modify the Mega Lok Adalat award passed by the High Court Legal Services Committee, Madurai Bench of Madras High Court, Madurai, dated 22.02.2014 in CMA (MD) No.676 of 2009 by incorporating the right of recovery from the 8th respondent herein.

2.Since there is no relief against the seventh respondent, it has been exonerated from this revision and to that effect, a memo has been filed and the same is recorded.

3.The learned counsel for the petitioner would submit that the



learned Motor Accident Claim Tribunal cum Additional District and Sessions Special Judge for EC Act cases, Thanjavur in M.C.O.P.No.96 of 2005 by order dated 30.09.2008 awarded a compensation of Rs.2,80,000/- payable to the claimants in which, this petitioner was ordered to pay a sum of Rs.1,40,000/- and recover the same from the 8th respondent herein, against which, CMA(MD).No.676 of 2008 was filed and this Court has forwarded the same before the Megal Lok-Adalat held on 22.02.2014, wherein after deliberations, a sum of Rs.1,60,000/- was arrived in full quiet.

4.The 8th respondent herein was absent and he was set exparte before the Tribunal as well as the Mega Lok-Adalat.

5.The grievance of the petitioner is that though the lower Court has issued a direction to the petitioner/Insurance Company to pay the compensation to the respondent and recover the same from the 8th respondent herein, there is no direction in the Megal Lok-Adalat settlement to recover the amount from the 8th respondent. Hence, this revision.

6. Heard the learned counsel for the petitioner and perused the material placed on record. Though the names of the respondents 2, 3, 6 and 8 are printed in the cause list, they have not appeared either in person or through their counsel.

7.Considering the facts and circumstances of the case, the award passed by the High Court Legal Services Committee, Madurai Bench of Madras High Court, Madurai, dated 22.02.2014 in CMA(MD) No.676 of 2009 is modified as prayed for and this Civil Revision Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

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Sub Assistant Registrar(CS)

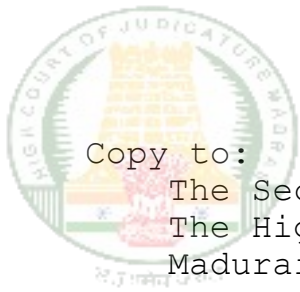
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To

1.The Motor Accident Claim Tribunal
cum Additional District and Sessions Special Judge for EC Act
cases, Thanjavur

2.The Section Officer
V.R.Section
Madurai Bench of Madras High Court

<https://hcservices.madurabench.in/hcservices/>



Copy to:
The Secretary,
The High Court Legal Services Committee,
Madurai Bench of Madras High Court, Madurai

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Order made in
C.R.P. (MD) (NPD) No.1231 of 2014
and
M.P. (MD) No.1 of 2014

Dated:

20.07.2021

MGJ(02.08.2021) 3P 5C