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C.R.P.Nos.2752 to 2763 & 3461 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2022

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THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

C.R.P.Nos.2752 to 2763 & 3461 of 2009
and M.P.Nos.1 to 1 of 2009 (12 Nos)

C.P.R.No.2752 of 2009 :-

The Branch Manager,
The New India Assurance Co. Ltd.,
East Cost Chambers, I Floor,
92, G.N. Chetty Road,
Chennai.

... Petitioner

Vs.

1. Ramesh
2. P.Shanmugam
3. A.Palanisamy

... Respondents

Prayer :- Civil Revision Petition is filed under Article 227 of the Constitution of India, against the judgment and decree made in MACT.O.P.No.226 of 2006 on the file of the Motor Accidents Claims Tribunal (Additional District Judge, Fast Track Court No.V) Coimbatore at Tirupur, dated 30.07.2008.

For Petitioner

in all CRPs : No appearance

For Respondents

in all CRPs : No appearance



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COMMON ORDER

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These Civil Revision Petitions have been filed as against the judgment and decree dated 30.07.2008 passed by the learned Additional District Judge, Motor Accidents Claims Tribunal, Fast Track Court No.V, Coimbatore at Tirupur, (herein after referred to as “the Tribunal”) in M.A.C.T.O.P.Nos.226, 227, 228, 230, 231, 233, 235, 236, 238, 239, 240, 241 & 477 of 2006, thereby directing the petitioner/insurance company to pay compensation to the respondents/claimants.

2. It is seen from the records that on 27.01.2006 at about 7.45 hours, the respondents traveled in a van bearing registration No.TN29M8770 and the driver of the van had driven the vehicle in a rash and negligent manner due to which the vehicle was capsized. In the said accident, all the respondents sustained injuries and hence they filed claim petitions as against the petitioner and two others before the Tribunal.

3. On the side of the respondents, they examined P.W.1 to P.W16 and marked documents in Ex.A.1 to Ex.A.28. On the side of the petitioner,



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they examined R.W.1 and marked document in Ex.B.1. On a perusal of oral and documentary evidences, the Tribunal awarded compensation to the tune of Rs.2,000/- to Rs.6,500/- to the respective respondents/claimants. Aggrieved by the same the petitioner viz., insurance company filed these present Civil Revision Petitions.

4. On a perusal of the order passed by the Tribunal, all the respondents proved their case by let in evidence and after due trial the compensation was ordered in favour of claimants. It is also proved that only because of the rash and negligence driving of the driver, the accident had occurred and due to which all the claimants sustained injuries. The doctor, who treated the claimants was examined as P.W.15 and he categorically deposed that all the claimants had suffered injuries on their entire body. Further, these revision petitions are of the year 2009 and for the past 13 years, they are pending without taking any steps to list the case. Today also no one is present for the petitioner. That apart, the compensation was very meager amount and this Court finds no infirmity or illegality in the order passed by the Tribunal.



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5. Accordingly, the judgment and decree dated 30.07.2008 passed by the learned Additional District Judge, Motor Accidents Claims Tribunal, Fast Track Court No.V, Coimbatore at Tirupur, in M.A.C.T.O.P.Nos. 226, 227, 228, 230, 231, 233, 235, 236, 238, 239, 240, 241 & 477 of 2006, is hereby confirmed.

6. Accordingly, all the Civil Revision Petitions are dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

15.12.2022

Internet : Yes

Index : Yes/No

Speaking order/Non-speaking order

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To

The Additional District Judge,
Motor Accidents Claims Tribunal,
Fast Track Court No.V,
Coimbatore



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G.K.ILANTHIRAIYAN, J.

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