



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2022

CORAM

THE HONOURABLE MRS.JUSTICE S. ANANTHI

CRP(MD) .No. 886 of 2022 and

C.M.P (MD) .No.3536 of 2022

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The Branch Manager,
The Oriental Insurance Company Ltd.,
10 A/shop No.12, Annai Illam,
2nd Floor, Mambalachalai,
Amma Mantapam Road,
Srirangam, Trichy.

.. Petitioner/2nd Respondent

Vs.

1.Chelladurai
rep. by his father Chellamuthu

..1st Respondent/Petitioner

2.Janaki

..2nd Respondent/1st Respondent

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India against the fair and decreetal order, dated 22.10.2021 I.A.No.163 of 2021 passed in MCOP.No.267 of 2018 on the file of the Motor Accidents Claims Tribunal Cum Chief Judicial Magistrate, Pudukkottai.

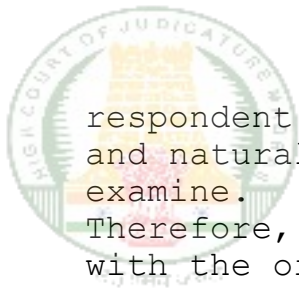
For Petitioner : Mr. E. Chandrasekaran

ORDER

The revision petitioner / 2nd respondent filed this revision to set aside order, dated 22.10.2021 passed in I.A.No.163 of 2021 in MCOP.No.267 of 2018 on the file of the Motor Accidents Claims Tribunal Cum Chief Judicial Magistrate, Pudukkottai, which was filed by the 1st respondent / petitioner to give evidence on the behalf of the petitioner, since he was mentally affected due to the accident.

2. Heard the learned counsel appearing for the petitioner. Since no adverse order passed against the respondents, no notice is necessary to them.

3. On perusal of the records it is seen that the 1st respondent / petitioner has already filed a petition in MCOP.No.267 of 2018 only through the natural guardian / father of the petitioner. The revision petitioner herein has filed a counter in the said MCOP and he has not raised any objection for the petition. The 1st respondent / petitioner has also filed the medical records to prove the ailment suffered by the 1st



respondent / petitioner and hence, the witness, who is the father and natural guardian of the 1st respondent / petitioner herein has to examine. Hence, the Tribunal has rightly allowed the petition. Therefore, this Court has not find any valid reason to interfere with the order passed by the Court below.

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4. Accordingly, this Civil Revision Petition is dismissed by confirming the order, dated 22.10.2021 passed in I.A.No.163 of 2021 in MCOP.No.267 of 2018, on the file of the Motor Accidents Claims Tribunal Cum Chief Judicial Magistrate, Pudukkottai. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

trp

To

The Motor Accidents Claims Tribunal Cum Chief Judicial Magistrate,
Pudukkottai.

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RK(16/05/2022) 2P 2C