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C.R.P.No.1857 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2023

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THE HON'BLE MR. JUSTICE G.K.ILANTHIRAIYAN

C.R.P.No.1857 of 2019
and C.M.P.No.12266 of 2019

M.Sakthivel .. Petitioner
Vs.

1. Murugathal
2. Chithra
3. Rani
4. Latha
5. Sridhar
6. ICICI Lombard General Insurance Company Ltd,
Regional Manager Gokulkannan
Office AT: Pappanaickenpalayam
Narayanasamy Layout, Coimbatore.
7. Reliance General Insurance Company Ltd,
Door No.141/71, "Geejay Arcade", First Floor,
Thiruvengadasamy Road (West),
Coimbatore.
8. SJB Motors MNAL Sales,
represented by its Proprietor Sivabharathi Balakrishnan
No.313/1H1, Ganesh Nagar,
Pollachi Main Road,
Malumichampatti, Coimbatore.



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9. INDUSIND Bank,
Represented by its Manager,
115-116, GN Chetty Road,
T.Nagar, Chennai 600 017.

10. Regional Transport Officer,
South Peelamedu, Coimbatore District. .. Respondents

Prayer:- Civil Revision Petition filed under Article 227 of Constitution of India to allow the above Civil Revision Petition against the fair and final orders dated 09.04.2018 passed in I.A.No.339 of 2018 in M.C.O.P.No.335 of 2012 on the file of Sub Court, Sathyamangalam.

For Petitioner : No appearance

ORDER

This Civil Revision Petition has been filed as against the fair and final order dated 09.04.2018 passed in I.A.No.339 of 2018 in M.C.O.P.No.335 of 2012 on the file of Sub Court, Sathyamangalam, thereby dismissing the petition filed under Order 1 Rule 10(ii) of CPC r/w Section 151 CPC filed for impleading third parties.

2. The petitioner is the first respondent in the claim petition filed by the respondents 1 to 5 herein. Pending claim petition, the petitioner filed an application to implead the respondents 7 to 10 herein as parties to the claim petition, on the ground that the vehicle involved in the accident was insured



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with its insurer and therefore, the Transport officials are necessary parties to the claim petition.

3. A perusal of the affidavit filed in support of the said application shows that no reason was stated in the application to implead the respondents 7 to 10 herein. Though, the petitioner stated that the offending vehicle was insured with the proposed respondent, no such document was filed before the Court below and as such, the Court below rightly dismissed the petition and this Court finds no infirmity or illegality in the order passed by the Court below and this revision is liable to be dismissed.

4. Accordingly, this Civil Revision Petition is dismissed. Consequently, connected Miscellaneous petition is closed. No costs.

02.01.2023

Speaking/Non-speaking order

Index : Yes/No

Internet : Yes/No

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G.K.ILANTHIRAIYAN,J.

mn

To

The Sub Court, Sathyamangalam.

C.R.P.No.1857 of 2019
and C.M.P.No.12266 of 2019

02.01.2023