

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.03.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.R.P(MD)No.105 of 2023

Balamurugan

...Petitioner/2nd Petitioner/Petitioner

Vs.

The Branch Manager,
TATA AIG General Insurance Co Ltd.,
Policy Holding Service,
P.B.No.9407,
Chakala MIDC Post Office,
Mumbai.

... Respondent/2nd Respondent/Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records and to set aside the Docket order made in unnumbered I.A.No..... of 2022 in M.C.O.P.No.147 of 2012 dated 21.11.2022 on the file of the Additional District Judge, Ramanathapuram, by allowing this Civil Revision Petition.

For Petitioner : Mr.M.Mohamed Sherbudeen

For Respondent : Mr.J.S.Murali

ORDER

This petition has been filed to set aside the Docket order made in unnumbered I.A.No..... of 2022 in M.C.O.P.No.147 of 2012 dated 21.11.2022 on the file of the Additional District Judge, Ramanathapuram.

2.The Court records indicates that two separate MCOPs have been filed by the petitioner herein. MCOP.No.147 of 2012 filed for the death of his child and MCOP.No.146 of 2012 filed for the death of his father in an accident before the Additional District Judge, Ramanathapuram.

3.It is submitted that in MCOP.No.146 of 2012, the name of the petitioner's father has been given as Vallvan @ Matcha Vallavan. It is pointed out that in the connected MCOP.No.147 of 2012, the petitioner's father name has been given us Matcha Vallavan. Thus, there is a link between the two names. The first petitioner is the seventh claimant in MCOP.No.146 of 2012. This being the case, the return that has been made by the learned Additional District Judge, Ramanathapuram, in the Docket order dated 21.11.2022, is liable to be set aside.

4.Considering the above, this Civil Revision Petition is allowed.
The learned Additional District Judge, Ramanathapuram, is directed to
number the application filed by the petitioner. No costs.

28.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
dss

**Note: The Registry is directed to return the original copy of the
Docket order dated 21.11.2022.**

To

- 1.The Additional District Judge,
Ramanathapuram.
- 2.The Section Officer
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

C.R.P(MD)No.105 of 2023

C.SARAVANAN,J.

dss

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