



WEB COPY



C.R.P(MD).No.728 of 2023

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 17.03.2023

CORAM

**THE HONOURABLE MR.JUSTICE C.SARAVANAN**

**C.R.P(MD).No.728 of 2023**

Ram Kumar

... Petitioner

Vs.

1.Meenakshi

2.Oriental Insurance Corporation Ltd.,  
represented by its Divisional Manager,  
Ddj Centre First Floor,  
Vadasery, Nagercoil,  
Kaniyakumari District.

... Respondents

**PRAYER:-** This Civil Revision Petition has been filed under Article 227 of the Constitution of India, to set aside the return order dated 12.01.2022 and direct the Motor Accident Claims Tribunal, Nagercoil, and allow this Civil Revision Petition.

For petitioner : Mr.P.Siva Kumar

**ORDER**

This petition has been filed to set aside the return order dated 12.01.2022 and direct the Motor Accident Claims Tribunal, Nagercoil.



C.R.P(MD).No.728 of 2023

2.The petitioner appears to have met with an accident on 04.02.2022 at about 2.45 a.m on Madurai – Chennai by-pass road, Trichy. The application was filed before the Tribunal on 14.11.2022. The Tribunal has returned the papers for rectifying the defects and the same were complied by the petitioner on 11.01.2023. Thereafter, the impugned docket order has been passed by asking the petitioner to explain how the OP filed within a limitation period as per the amendment of Motor Vehicles Act, 2021. Instead of replying to the same, the petitioner has filed this Civil Revision Petition.

3.The rejection of the application on the ground of limitation without hearing the petitioner, is unwarranted. Therefore, the Tribunal is directed to number the petition and list the case for admission and thereafter, pass appropriate orders on limitation after giving reasons. This Civil Revision Petition is allowed with the above observation. No costs.

**17.03.2023**

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

**Note : The Registry is directed to return the copy of the original petition filed by the petitioner for presentation before the Tribunal for numbering.**



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To

- 1.The Motor Accident Claims Tribunal,  
Nagercoil.
- 2.The Record Keeper,  
V.R. Section,  
Madurai Bench of Madras High Court,  
Madurai.



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C.R.P(MD).No.728 of 2023

C.SARAVANAN,J.

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