



C.R.P(MD)No.1493 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.06.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.R.P(MD)No.1493 of 2023

1.Kamaraj
2.Sarojadevi
3.Mahalakshmi

...Petitioners/Petitioners

Vs.

1.Tamilkumaran
2.The United Indian Insurance Co. Ltd.,
Rep. by its Branch Manager,
KAR Towers, II Floors,
R.S. Road,
Dindigul 624001.
3.Kasthuri

... Respondents/Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order dated 15.03.2023, passed in M.C.O.P.No.438 of 2021 on the file of the Motor Accident Claims Tribunal, Karur.

For Petitioner : Mr.V.Meenakshi Sundaram

ORDER

This Civil Revision Petition has been filed by the petitioner to set aside the order passed in M.C.O.P.No.438 of 2021 dated 15.03.2023, on



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the file of the Motor Accident Claims Tribunal, Karur.

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2. There is no territorial or causing nexus either with the accident that has been taken place on 14.06.2021 or with the respondents or with the petitioner in M.C.O.P.NO.438 of 2021.

3. The specific case of the petitioner is that M.C.O.P.No.438 of 2021 was numbered in the light of the fact that the connected case in M.C.O.P.No.405 of 2021 was entertained before the Sub Court, Karur arising out of the same accident. It is further submitted that as far as M.C.O.P.No.405 of 2021 is concerned, the trial has commenced. As far as M.C.O.P.No.438 of 2021 is concerned, the trial is yet to be commenced. It is submitted that the impugned order returning M.C.O.P.No.438 of 2021 is liable to be interfered with.

4. The learned counsel for the petitioner has placed reliance on the decision of the Hon'ble Supreme Court in the case of *Malati Sardar v. National Insurance Co. Ltd., and others* reported in **2016 (1) TNMAC 1 (SC)** and that decision of this Court in the case of *Oriental Insurance Co. Ltd., v. Muthumeenal and others* reported in **2016(2) TNMAC 58**.



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5. On reading of the impugned order and the claim petition of the petitioner, it makes it clear that the jurisdiction of the Motor Accident Claims Tribunal, Karur was contrived for wrong reasons. The impugned order does not call any for interference.

6. In view of the above, this Civil Revision Petition is dismissed. No Costs. The Registry is directed to return back the original petition papers.

26.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Mrn

To

1. The Principal District Judge,
Motor Accident Claims Tribunal, Karur.
2. The Section Officer
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN,J.

Mrn

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