



C.R.P(MD)No.1494 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.1494 of 2023

V.Ponusamy

...Petitioner/Petitioner

Vs.

1.Jayaprakash
2.Bajaj Allianz General Insurance Co. Ltd.,
Rep. by its Branch Manager,
No.68-SLS Towers,
1st Floor, Cherry Road,
Hasthampatty,
Salem 636007.

... Respondents/Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the docket order dated 14.01.2023, passed in Unnumbered M.C.O.P.No. Of 2022 (F.No.MCOP/1183/2022)(CNR No.TNKR010033412022) 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 docket order dated 14.01.2023, passed in Unnumbered M.C.O.P.No. Of 2022 (F.No.MCOP/1183/2022)(CNR



C.R.P(MD)No.1494 of 2023

No.TNKR010033412022) on the file of the Motor Accident Claims Tribunal, Karur.

2.The petitioner is aggrieved by the impugned return dated 14.01.2023. The operative portion of the impugned order reads under:-

“Returned. 14.01.2023. Petitioner's residence is Mettuthirukkampaliyur falls under Kulithalai jurisdiction. Section 166(2) of Motor Accident Act confers the jurisdiction different Courts only for the claimants and not others. It is not open to choose the Court for the hearing of case as such amounts of forum shopping. Therefore, why are petition have chosen this Court to file the claim petition may give the explanation. Time one month.”

3.The specific case of the petitioner is that although the petitioner is residing within the jurisdiction of Karur district, the respondents 1 and 2 are from Coimbatore district and Salem district respectively, the second respondent also has branch office in Karur district. Therefore, the Tribunal has territorial jurisdiction to entertain the claim petition of the petitioner in accordance with Section 166(2) of Motor Vehicles Act, 1988. The petitioner has not given a proper explanation for the return of the learned Principal District Judge, Karur. It was open for the petitioner



C.R.P(MD)No.1494 of 2023

to give proper explanation and re-present the paper in claim petition.

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4.In the light 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.R.P(MD)No.1494 of 2023

C.SARAVANAN,J.

Mrn

C.R.P(MD)No.1494 of 2023

26.06.2023