



C.R.P(MD)No.1496 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.1496 of 2023

Sathiskumar

...Petitioner/Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam,
Pudukkottai 622001.

...Respondent/Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the docket order dated 14.06.2023, passed in Unnumbered M.C.O.P.No. Of 2022 (F.No.MCOP/1025/2022)(CNR No.TNKR010029892022) 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 14.06.2023, passed in Unnumbered M.C.O.P.No. Of 2022 (F.No.MCOP/1025/2022)(CNR No.TNKR010029892022) on the file of the Motor Accident Claims



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Tribunal, Karur.

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2.The petitioner is aggrieved by the impugned return vide docket order dated 14.06.2023, returning the claim petition filed by the petitioner dated 13.09.2022.

3.The operative portion of the impugned order reads as under:-

“Further as per Section 160(2) of the Motor Vehicles Act, an application can be filed at the option of the claimant in any one of the following limit of jurisdiction of Tribunal.

1. Where the accident took place, 2. where the claimant actually resides or carries on business and where the respondent actually resides. The case in hand (1) the accident took place at Karur – Trichy main road which situates within territorial limits of Kulithalai Motor Accident Tribunal. (2) The claimant reside at No.3/102, Pulakkadu, Muthugoundenputhur, Sulur, Coimbatore 641402. The respondent carries his business at Pudukkottai. Therefore, this Tribunal has come to the conclusion that this Tribunal has no territorial jurisdiction to try this case.”

4.The specific case of the petitioner reads as under:-

“The petitioner is belonging to the native of Lalapet. The petitioner's father and mother are permanently



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residing at Lalapet. The petitioner is owning ancestral property and house at Lalapet. The petitioner due to visit his native has proceeded from Coimbatore to Lalapet and on that sequence the accident occurred. Since the petitioner is having job at Coimbatore his address in his aadhar card is changed for the job purpose. Moreover, the petitioner had taken the entire treatment at Karur. It is highly needed for the petitioner to prove his disability by examining the treated doctor. The accident had taken place within the Karur district Jurisdiction. Moreover the respondent is carrying and operating their business within the jurisdiction of this Hon'ble Court. Hence, this Hon'ble Court has sufficient jurisdiction to entertain the case.”

5.It is submitted that the respondent State Transport Corporation has office within the jurisdiction of Karur District. Therefore, in terms of Sub Clause of 2 of 166 of Motor Vehicles Act, 1988, the Tribunal has jurisdiction and the submission of the petitioner appears to be reasonable. Therefore, liberty is given to the petitioner to re-present the return of the claim petition giving proper explanation together with the decision, the petitioner relied on.



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C.SARAVANAN,J.

Mrn

6.With the above liberty, this Civil Revision Petition is disposed of. 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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