



C.R.P(MD)No.1497 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **26.06.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

C.R.P(MD)No.1497 of 2023

1.Sarojini Sahoo
2.Santhosa Kumar Sahoo ...Petitioners/Petitioners

Vs.

1.Yugendran
2.Iffico Tokio General Insurance Co. Ltd.,
Rep. by its Branch Manager,
No.2, 1st Floor,
4/1044, Koval Main Road,
Karur. ...Respondents/Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the docket order dated 24.11.2022, passed in Unnumbered M.C.O.P.No. Of 2022 (F.No.MCOP/1299/2022)(CNR No.TNKR010037572022) on the file of the Motor Accident Claims Tribunal, Karur.

For Petitioners : Mr.V.Meenakshi Sundaram

ORDER

This Civil Revision Petition has been filed by the petitioner to set aside the docket order dated 24.11.2023, passed in Unnumbered M.C.O.P.No. Of 2022 (F.No.MCOP/1299/2022)(CNR



C.R.P(MD)No.1497 of 2023

No.TNKR010037572022) on the file of the Motor Accident Claims Tribunal, Karur.

2.The petitioners are aggrieved by the return of the claim petition filed by the petitioners, vide docket order dated 22.11.2022.

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

“1.Petitioners residing at Karur address proof to be filed.

2.Alternative report to be filed.

3.Postmortem certificate or death certificate to be filed.

4.Legal heirs certificate to be filed.

5.The petitioners are permanent residents of Odissa State Section 116(2) of M.V. Act contents the jurisdiction on different of the claimants and not others. Therefore, it is not open to choose the Court for the hearing of case as such an act would amount to forum shopping. Therefore, why the petitioner's have chosen this Court file the claim petition may be explained.

6.Fresh docket sheet to be attached.”

4.In the claim petition, the petitioners have stated as follows:-

“The deceased was working as a labour as Reel operator in Bharath Knitting Industries mosquito net company in Karur. The deceased was earning a sum of Rs.



C.R.P(MD)No.1497 of 2023

30,000/- pm. The deceased was contributing all his income to the petitioners only. The 1st petitioner lost his lovable husband once for all. 2nd petitioner lost his lovable father once for all. Due to the death of deceased the life of the petitioners is put in dark and vein. Due to the death of the deceased the income of the deceased is once for all lost to the petitioners.”

5.This Civil Revision Petition is disposed of by giving fresh liberty to the petitioners to re-present the return claim petition giving proper reasons as to how the case is maintainable.

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.



WEB COPY



C.R.P(MD)No.1497 of 2023

C.SARAVANAN,J.

Mrn

C.R.P(MD)No.1497 of 2023

26.06.2023