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C.R.P(MD)No.2078 of 2



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.08.2023

CORAM

**THE HONOURABLE MRS JUSTICE K. GOVINDARAJAN
THILAKAVADI**

C.R.P(MD)No.2078 of 2023

S.Arunkumar
(Rep by his father Sowanthirapandian)

... Petitioner/Petitioner/

Vs.

1.R.M.Somasundaram

2.The Branch Manager
The Oriental Insurance Company Ltd.,
39/40, Saratha Shopping Complex
Workshop Road,
Simmakkal
Madurai District.

... Respondents/Respondents

Civil Revision Petition is filed under Article 227 of the Constitution of India, to unnumbered M.C.O.P.SR.No.4579 of 2022 on the file of the Motor Accidents Claims Tribunal/ Principle District & Sessions Court, Madurai and allow the Civil Revision Petition.

For Petitioners

:Mr.N.Vijayaraghavan
for Mr.N.Sudhagar Nagaraj

For R2

:Mr.C.Karthick



ORDER

This Civil Revision Petition is filed against the returned unnumbered MCOP.SR.No.4579 of 2022 by the Motor Accidents Claims Tribunal, Madurai.

2.According to the revision petitioner, he moved a claim petition in MCOP.SR.No.4579 of 2022 claiming compensation for the accident took place, on 06.05.2022. However, the Tribunal returned the above application by stating that the same is barred by limitation. The revision petitioner, without giving sufficient explanation as to how the petition is maintainable, has approached this Court. The learned counsel for the revision petitioner submitted that he may be permitted to withdraw the civil revision petition and submit his explanation before the trial Court as to the maintainability of the claim petition.

3.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the second respondent and perused the materials available on record.

4.In view of the above, this Civil Revision Petition is dismissed as withdrawn. However, the revision petitioner is at liberty to approach the



Tribunal by giving sufficient explanation on the face of the judgment rendered in C.R.P.No.2558 of 2023 dated 18.08.2023 and the Tribunal is also directed to number the petition if it is in order and dispose the same on merits and in accordance with law, with regard to the maintainability of the above petition. No costs.

21.08.2023

NCC:Yes/No

Index:Yes/No

Internet:Yes/No

To

1.The Motor Accidents Claims Tribunal/
Principle District & Sessions Court,
Madurai.

2.The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai.

Note:Registry is directed to return the
original papers to the learned
counsel for the petitioner after
substituting the same.



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K.GOVINDARAJAN THILAKAVADI, J.

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