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C.R.P.No.1835 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM

THE HONOURABLE MR.JUSTICE **M.NIRMAL KUMAR**

C.R.P.No.1835 of 2024

The Legal Manager,
Cholamandalam MS General Insurance Co. Ltd.,
II Floor, Shaw Wallace Building,
154, Thambu Chetty Street,
Parry's Corner, Chennai – 600 001.

... Petitioner

Vs.

1.M.Muthuvel

2.Hyundai Engineering Plastics India Pvt. Ltd.,
No.137-A, Vayalur Village,
Thiruvallur District – 602 105.

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the Lok Adalat Award dated 12.08.2023 passed by the learned Additional District Judge-II at Chidambaram in M.C.O.P.No.215 of 2022 on the file of the Motor Accidents Claims Tribunal, Chidambaram.

For Petitioner : Mr.Sharath Chandran



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ORDER

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This Civil Revision Petition has been filed to set aside the Lok Adalat Award dated 12.08.2023 passed by the learned Additional District Judge-II, Motor Accidents Claims Tribunal, Chidambaram in M.C.O.P.No.215 of 2022.

2.The petitioner is the second respondent in M.C.O.P.No.215 of 2022 filed by the first respondent claiming compensation for the injury sustained by him in a road accident and for medical treatment. During the pendency of M.C.O.P., the case was referred to Lok Adalat and an understanding arrived between the petitioner and respondents in Lok Adalat Case No.51 of 2023 on 12.08.2023. The settled amount in Lok Adalat is for Rs.4,95,000/-. The petitioner now raised an objection and preferred the present Civil Revision Petition for the reason that any claim petition preferred under Section 166 of the Motor Vehicles Act after the amendment came into effect on 01.04.2022 and after six months from the date of accident, ought to be accompanied by a petition for condonation of delay. Thereafter only the same can be considered.



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In this case the accident had taken place on 09.05.2022 and the claim petition was preferred after six months on 28.11.2022, which is barred by limitation.

3.On perusal of the petition and typed set of papers, this Court finds that the petitioner cannot make such objection now. Before the Lok Adalat in Lok Adalat Case No.51 of 2023, the petitioner and the respondents entered into an understanding, the issue got resolved and the petitioner agreed to pay a sum of Rs.4,95,000/- on 12.08.2023. Now it cannot be reopened and reagitated.

4.In view of the same, this Court is not inclined to entertain this revision petition. Accordingly, this Civil Revision Petition is dismissed. No costs.

30.04.2024

Index : Yes/No

Speaking Order/Non Speaking Order

Neutral Citation: Yes/No

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M.NIRMAL KUMAR, J.

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To

The Additional District Judge-II,
Motor Accidents Claims Tribunal,
Chidambaram.

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30.04.2024