



C.R.P(MD).No.70 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.03.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.R.P(MD)No.70 of 2024

J.Sahayarani

... Petitioner / 1st Respondent

Vs

1.M/s.Oriental Insurance Company
Namakkal.

... 1st Respondent / Appellant

2.P.Selvadurai

3.The Managing Director,
Tamilnadu State Transport Corporation,
Madurai Division, Madurai.

... 2 and 3 Respondents /
Respondents 2 and 3

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records and set aside the award dated 22.04.2018 passed in C.M.A(MD)No.461 of 2010 on the file of Lok Adalat (Organized by High Court Legal Services Committee) High Court of Madras, Madurai Bench and allow this Civil Revision with costs throughout.



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For Petitioner : Mr.G.Prabhu Rajadurai

For R1 : Mr.Jawahar Ravindran

For R2 : Dismissed as withdrawn

For R3 : No appearance

ORDER

This Civil Revision Petition is filed to set aside the award dated 22.04.2018 passed in C.M.A(MD)No.461 of 2010 on the file of Lok Adalat (Organized by High Court Legal Services Committee) High Court of Madras, Madurai Bench.

2. Learned counsel for the first respondent would submit that against the order of the Tribunal made in M.C.O.P.No.148 of 2008 dated 02.06.2009, the Insurance Company has filed an appeal in C.M.A. (MD)No.461 of 2010. The matter was settled in the Lok Adalat and an award was passed on 22.04.2018. Because of the non-signing of the papers by the claimant, the amount was not deposited by the Insurance Company.



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3. Learned counsel for the revision petitioner would submit that without her knowledge, the Lok Adalat award was passed. Neither she nor her counsel appeared during the Lok Adalat proceedings. Due to her absence, she has not signed in the Lok Adalat award and she claims that the Lok Adalat award will not bind her. Therefore, she filed a C.M.P(MD)SR.No.51811 of 2021 to set aside the Lok Adalat award made in C.M.A(MD)No.461 of 2010. This Court, by order dated 21.01.2022, dismissed the petition by stating that a Civil Revision Petition or Civil Miscellaneous Appeal, has to be filed by the petitioner herein, seeking the same relief. Therefore, this Civil Revision petition came to be filed.

4. Learned counsel for the first respondent would submit that C.M.A(MD)No.461 of 2010 may be restored to file, so that, the parties can agitate the matter before this Court.

5. Considering the submissions on either side, the award dated 22.04.2018 passed in C.M.A(MD)No.461 of 2010 by the Lok Adalat (Organized by High Court Legal Services Committee) High Court of



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Madras, Madurai Bench, is set aside and the matter is restored to file and the parties are at liberty to work out remedy in accordance with law.

6. With the above direction, this Civil Revision Petition is disposed of. No costs.

27.03.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

- 1.The Managing Director, Tamilnadu State Transport Corporation,
Madurai Division, Madurai.
- 2.The Officer-in-Charge, High Court Legal Services Committee,
Madurai Bench of Madras High Court, Madurai.
- 3.The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



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Copy To :

- 1.The Registrar (Judicial),
Madurai Bench of Madras High Court, Madurai.
- 2.The Section Officer,
Judicial (posting),
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN, J.

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ORDER
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