



C.R.P.(MD)No.476 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.02.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P.(MD)No.476 of 2024

1.Veilatchi.

2.Minor Maha Varshini

3.Minor Karthikasri

(Minors 2 and 3 petitioners through their mother and next friend natural guardian the 1st petitioner herein)

4.Senbagavalli,

5.Kombiah

... Petitioners/Claimants

Vs.

1.Velmurugan

2.United India Insurance Company Ltd.,
Alagu Bagavathy Complex,
Kailasapuram Middle Street,
Tirunelveli – 627 001.

... Respondents/Respondents

PRAYER : Civil Revision Petition is filed under Article 227 of the Constitution of India, to call for the records relating to the Order or return dated 18.10.2023 in un-numbered M.C.O.P. Filing No.TNTL010147722023/2023 on the file of Motor Accident Claims Tribunal (District Judge), Tirunelveli and set aside the same.



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For Petitioner : Mr.M.Maharaja

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ORDER

This civil revision petition has been filed to Order of return dated 18.10.2023 in un-numbered M.C.O.P. Filing No.TNTL010147722023/2023 on the file of Motor Accident Claims Tribunal (District Judge), Tirunelveli.

2.Expressing the grievance over the non entertainment of the claim petition, that was filed by the petitioner, claiming compensation for fatal accident, that took place on 09.12.2022, this revision has been preferred. The learned counsel for the petitioner would submit that even though the petitioner was returned on the ground of limitation, elaborate re-submission was made annexing the judgment of this Court made in C.R.P.No.2558 of 2023, dated 18.08.2023, that was not considered by the Tribunal.

3.Deciding the limitation on the administrative side may not be proper. That ought to have decided on the judicial side on the limitation point. In view of the above, there shall be a direction to the Tribunal to



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decide the same on its own merits on the judicial side. For that purpose let the original petition be represented by the petitioner before the trial Court. Registry is directed to return the original petition to the petitioner under due acknowledgment.

4. With the above said directions, this civil revision petition stands disposed of. No costs.

22.02.2024

Index : Yes / No
Internet : Yes / No
TM

To

1. The District Judge, Motor Accident Claims tribunal, Tirunelveli.

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



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G.ILANGO VAN,J.

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