



C.R.P(MD).No.592 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.03.2024

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

C.R.P(MD)No.592 of 2024

Juvaishi Nissar

... Petitioner / Claimant

Vs

1.Manikandan

2.Arumugam

3.The Branch Manager,

The New India Assurance Company Limited,

Edal Heavy Road, Sathur Branch,

Virudhunagar District.

... Respondents / Respondents

Prayer : Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the docket order dated 25.07.2023 made in Unnumbered M.C.O.P.(S.R)No.591 of 2023 in CNR No.TNT21D0010062023 on the file of the Motor Accident Claims Tribunal cum Additional District and Sessions Court, Tenkasi and to number the same and allow the above Civil Revision Petition.



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For Petitioner : Mr.A.Sheik Nasurdeen

For R3 : Mr.C.Karthik

ORDER

This Civil Revision Petition is filed to set aside the docket order dated 25.07.2023 made in Unnumbered M.C.O.P.(S.R)No.591 of 2023 in CNR No.TNT21D0010062023 on the file of the Motor Accident Claims Tribunal cum Additional District and Sessions Court, Tenkasi and to number the same and allow the above Civil Revision Petition.

2. The grievance of the petitioner is that M.C.O.P.(SR)No.591 of 2023 was filed by the petitioner seeking compensation amount before the Motor Accident Claim Tribunal cum Additional District and Sessions Court, Tenkasi, for the injury sustained by him. That was not entertained on the ground of limitation.

3. The issue over the maintainability of the petition, can be taken on the judicial side by the Additional District and Sessions Court, Tenkasi, and decide the same on its own merits. Returning the petition



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without numbering the same on the ground of maintainability, may not be proper. On the sole ground, the order dated 25.07.2023 made in Unnumbered M.C.O.P.(SR)No.591 of 2023, is set aside. There shall be a direction to the Motor Accident Claim Tribunal cum Additional District and Sessions Court, Tenkasi, to process the petition if it is otherwise found in order and the maintainability issue may also be taken up on the judicial side.

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

05.03.2024

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

Note: Registry is directed to return the original petition to the petitioner for further process

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G.ILANGO VAN, J.

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To

- 1.The Motor Accident Claim Tribunal cum
Additional District and Sessions Court, Tenkasi.
- 2.The Record Keeper, Vernacular Records,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
C.R.P(MD)No.592 of 2024

05.03.2024