



C.R.P(MD)Nos.33 to 38 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P(MD)Nos.33 to 38 of 2024

Muthulakshmi	.. Petitioner in CRP(MD)No.33/2024
Sathiyamoorthi	.. Petitioner in CRP(MD)No.34/2024
Sangeetha	.. Petitioner in CRP(MD)No.35/2024
Suganya	.. Petitioner in CRP(MD)No.36/2024
Agilandaswari	.. Petitioner in CRP(MD)No.37/2024
Adaikalam	.. Petitioner in CRP(MD)No.38/2024

Vs.

1.Thameem

**2.The Branch Manager,
The New India Assurance Company Limited,
No.594, Oplitowers 1st Floor,
DB Road, RS Puram,
Coimbatore- 641 002.
Policy No.72010531190800008242**

**.. Respondents
in all cases**



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Common Prayer: Civil Revision Petitions filed under Article 227 of the Constitution of India, to set aside the set aside the docket order in Unnumbered in I.A.No..... of 2023 in M.C.O.P.No.332 of 2021 on the file of the Special District Court, MCOP Thanjavur, and consequently direct the Special District Court, MCOP Thanjavur, to number the Unnumbered I.A.No..... 2023 in M.C.O.P.No.332 of 2021 on the file of the Special District Court, MCOP Thanjavur, within the time stipulated by this Court.

In all cases:

For Petitioner : Mrs.A.Banumathi

For Respondent : Mr.C.Karthik for R2

COMMON ORDER

Since the issue involved in these petitions are one and the same, these petitions are taken up together and dispose of by way of this common order.

2. These petitioners filed MCOP.No.332 of 2021 before the learned Special District Judge, Motor Accidents Claims Tribunal, Thanjavur. Vide order and judgment dated 08.06.2023, the Tribunal awarded a total sum of Rs.20,00,360/- with 7.5 % interest and cost. The



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petitioners are 8 in number. In respect of the petitioners namely, the petitioners 1 to 6, amount was already deposited for 3 years in a Nationalised Bank. In respect of the minors, the order indicates that the amount must be deposited in any one of the Nationalised Banks till they attained majority. The amount was deposited by the Insurance Company subsequently.

3. The learned counsel for the petitioners submitted that claiming the amount deposited by the Insurance Company, separate petitions were filed by the petitioners herein, seeking withdrawal of their share amount. That came to be returned by the Tribunal. Hence, they approached this Court.

4. It is not proper on the part of the Tribunal to return the petitions on the administrative reasons. The petitioners are at liberty to produce the necessary documents before the Tribunal showing the necessity and requirement, as the case may be, to withdraw the amount.

5. On such production of necessary documents, the Tribunal is directed to number the IA petitions filed by the petitioners herein and



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decide the same on merits and in accordance with law.

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6. With the above direction, these Civil Revision Petitions are disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

10.01.2024

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
PJJ

Note: The Registry is directed to return all the original IA papers filed by the petitioners to enable them to represent the same before the trial Court.

To

1. The Branch Manager,
The New India Assurance Company Limited,
No.594, Oplitowers 1st Floor,
DB Road, RS Puram,
Coimbatore- 641 002.

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



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G.ILANGO VAN, J.

PJL

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