



C.R.P(MD)No.301 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

**C.R.P(MD)No.301 of 2024**

1.M.Alagammal

2.M.Thanalakshmi

3.M.Sathish Narayanan

...Petitioners/Petitioners

Vs.

1.K.Sivalingam

2.Cholamandalam

M/s.General Insurance Co Ltd.,

No.2 NSC Bose Road,

Chennai

3.Cholamandalam

M/s.General Insurance Co.Ltd.,

Trivandrum Road,

Palayamkottai,

Tirunelveli

...Respondents/Respondents

**PRAYER:** Civil Revision Petition is filed under Article 227 of the Constitution of India, to please to direct the learned judge to number the UnNumbered M.A.C.O.P.No. of 2023 on the file of Principal District Court (MACT), Tirunelveli by allowing this Civil Revision Petition.

For Petitioners : Mr. T.Selvan



C.R.P(MD)No.301 of 2020

WEB COPY

## **ORDER**

This Civil Revision Petition is filed seeking a direction to the Principal District Court (MACT), Tirunelveli, to number the unnumbered M.A.C.O.P.No. Of 2023.

2. Heard the learned counsel appearing for the petitioners and perused the materials available on record.

3.The learned counsel for the petitioners would submit that that the husband of the first petitioner and the father of the petitioners 2 and 3 died in a motor accident and the claim petition filed by the petitioners, as claimants, has not been numbered by the trial court. It is the submission of the learned counsel for the petitioners that the trial court is returning the petition from 15.06.2023 indicating various defects and whenever the petition is



**C.R.P(MD)No.301 of 2020**

WEB COPY

re-presented, it has been returned periodically setting out some defects.

4. The learned counsel for the petitioners would also submit that admittedly, there is delay in filing the claim petition and hence, the petitioners have annexed a citation to substantiate the contention that there is no limitation for filing claim petition and the trial court ought to have decided the petition on merits after numbering the same.

4. The Principal District Court (MACT), Tirunelveli, is directed to number the unnumbered M.A.C.O.P.No. Of 2023 and decide the same on merits and in accordance with law and with regard to point of limitation, the petitioner must be given an opportunity to explain the same.



C.R.P(MD)No.301 of 2020

5. With the above directions, this Civil Revision Petition

is disposed of. No costs.

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NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
CM

**Note:** The Registry is directed to return the original document to the learned counsel for the petitioner after getting endorsement.

To,

1.The Principal District Court (MACT), Tirunelveli

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



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**C.R.P(MD)No.301 of 2020**

**G. ILANGO VAN, J.**

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