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CRP.No.4299 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

CRP.No.4299 of 2025

Subramani.

... Petitioner / Petitioner / Claimant

Versus

1. Kalaiarasu
2. Ajithkumar
3. The Oriental Insurance Company Limited,
Divya Towers, Fort main Road,
Shevapet, Salem - 636 002.
4. The New India Assurance Company Limited,
Virudhunagar Branch,
at No.13, Trichy Main Road,
Guagai, Salem District - 636 006.

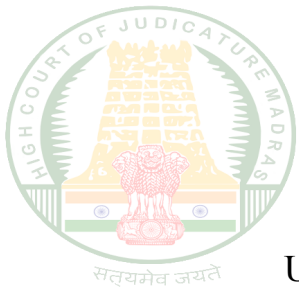
... Respondents / Respondents / Respondents

Prayer:- Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the order of dismissal passed by the learned Special Subordinate Judge No.1, Salem on 04.06.2025 in I.A.No.4 of 2025 in MCOP.No.1927 of 2023 and allow the same.

For Petitioner : Mr.P.Neelavathi

For R3 : Mr.S.Senthil Kumar

ORDER

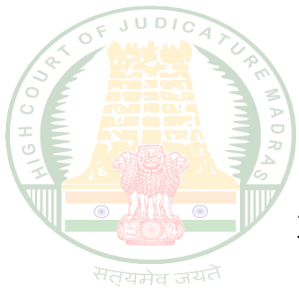


CRP.No.4299 of 2025

Unsuccessful claimant has preferred the present Civil Revision Petition.

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2. The claimant, Subramani, filed an application in M.C.O.P.No.1927 of 2023 on the file of the Special Subordinate Judge No.1, Salem, under Section 166 of the Motor Vehicles Act read with Rule 3 of the TNMACT Rules, seeking compensation of Rs.20,00,000/-. The third respondent / insurance company, filed their objections. Thereafter, the enquiry commenced. The petitioner / claimant was examined as PW1 and Ex.P1 to P12 were marked. At this stage, the claimant filed an application in I.A.No.4 of 2025 in M.C.O.P.No.1927 of 2023 under Section 151 of the CPC, seeking to receive the certified copy of the medical bills. Upon hearing either side, the Tribunal dismissed the application on the ground that the revision petitioner had not produced any piece of evidence, such as registration of Electric Vehicle, and after burning cancellation, etc to substantiate his allegations. The reasons stated by the claimant for production of certified copy of medical receipt is not sufficient and nor supported by valid proof. Aggrieved over the same, the claimant has preferred the present civil revision petition.



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3. The learned counsel appearing for the revision petitioner would submit that the Court below erred in not allowing the petition to summon the revision petitioner's treating doctor and to mark the medical bills, as the medical bills provided to the petitioner by the hospital were destroyed when his electric motorcycle caught fire in an accident. The learned counsel for the revision petitioner further submits that due to the accident, he sustained injuries and was admitted in Dakshim Trauma Centre and Hospital, incurring medical expenses of Rs.1,00,000/- or more. When these documents were kept in his Electric vehicle, they were destroyed due to the fire, making him unable to produce the original documents. Consequently, he seeks permission to submit certified copies of the medical records.

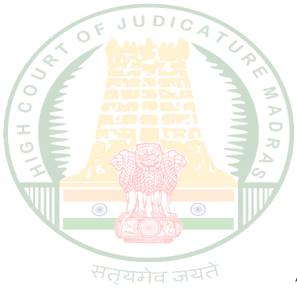
4. It is seen from the records that the claimant has filed a claim petition for claiming compensation for the injuries sustained in the accident that took place on 19.09.2023. The third respondent / insurance company filed their objections. Thereafter, the enquiry commenced. The petitioner / claimant was examined as PW1 on 17.03.2025, and Ex.P1 to P12 were marked. At this stage, the claimant filed an application in I.A.No.4 of 2025 in MCOP.No.1927 of 2023 under Section 151 of the CPC, seeking permission to



receive certified copies of the medical bills. According to the revision petitioner, the original medical bills were destroyed when his electric two-wheeler caught fire. Therefore, it is necessary to produce copies of the medical bills.

5. It is seen from the affidavit filed by the claimant in I.A.No.04 of 2025, wherein it has been stated that due to accidental injury, he was admitted in hospital from 19.09.2023 to 22.09.2023 and spent a medical expenses of Rs.1,00,000/- and the above, when he kept those documents in his electrical vehicle, due to heavy heat, the documents were burnt and hence, unable to produce original documents. However, the petitioner has not mentioned the date, time, and place of the destruction of the original documents in the affidavit, and not explained as to how some of the original medical records that had already been marked on his side evidence.

6. In view of the above, there is no merits in this Civil Revision petition and this Court finds, no reason to interfere with the order passed in I.A.No.4 of 2025 in MCOP.No.1927 of 2023, dated 04.06.2025 on the file of the learned Special Subordinate Judge No.1, Salem.



CRP.No.4299 of 2025

WEB COPY

7. Accordingly, this Civil Revision petition is dismissed. No costs.

11.09.2025

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Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

To

The learned Special Subordinate Judge No.1, Salem

M. JOTHIRAMAN, J.

5/6



WEB COPY



CRP.No.4299 of 2025

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CRP.No.4299 of 2025

11.09.2025