



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 3821 of 2025 and CMP No.20259 of 2025

1. The New India Assurance Co Ltd
Third Party Claims Hub, Rep by its
Deputy manager, R.Ravinchandran S/o.
R.Rajeswaran, No 232, NSC Bose road,
Chennai 001

Petitioner(s)

Vs

1. Ekambaram
S/o. Kesavan No. 10, 2nd Street, Avadi,
Kamaraj Nagar, Tiruvallur 600 071
2.Prabhu
S/o. Ekambaram No. 10, 2nd Street,
Avadi, Kamaraj Nagar, Tiruvallur 600
071
3.Ranjani
W/o. Lokeshbabu No. 10, 2nd Street,
Avadi, Kamaraj Nagar, Tiruvallur 600
071
4.Murali
S/o. Kumar No. 1/115, Munivel Nagar,
Karnodai, Solavaram, Chennai 067

Respondent(s)

Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the Award passed in Lok Adalat No.Nil of 2025 in MCOP No.797 of 2025 dated 11.06.2025 and remand back the MCOP to the Special Judge-II in Small Causes Court at Chennai, for proceeding further in the case.

For Petitioner(s): K. Elangoo

For Respondent(s): S.Sidhartha Vishnu
For Rr1 To 3
R-4 - No appearance



ORDER

The Insurance Company is the revision petitioner, challenging the Award of the Lok Adalat, arising out of MCOP proceedings, pending on the file of Special Judge-II, Small Causes Court, Chennai.

2. The respondents herein, claiming to be the husband, son and daughter of one Selvi, have filed MCOP No.797 of 2025 before the Motor Accidents Claims Tribunal/Special Judge-II, Small Causes Court, Chennai, for compensation.

3. Before the Revision petitioner could even filing counter in MCOP No.797 of 2025, the matter was referred to Lok Adalat and before the Lok Adalat also, according to the learned counsel for the Insurance Company, the respondents undertook to produce the necessary legal heir documents to substantiate their relationship with the deceased and on the belief that they will produce the legal heir documents, the revision petitioner also accepted for settling the claim before the Lok Adalat.

4. It has thereafter come to light that excepting the third respondent, there are no other surviving legal heirs for the deceased Selvi and other two legal heirs in fact predeceased Selvi. Therefore, the revision has been filed to set aside the award passed before the Lok Adalat.



5. Learned counsel appearing for the respondents 1 to 3 would fairly concede that it is a fact that excepting the third respondent, the other respondents viz., respondents 1 and 2 are not the legal heirs of the deceased Selvi. He would however, state that since the third respondent was also a party before the Lok Adalat, the Award may be suitably modified to enure only to her benefit, for which, learned counsel for the Insurance Company has no serious objection.

6. In the light of the above, the civil revision petition is allowed and the Award passed before Lok Adalat in MCOP No.797 of 2025 dated 11.06.2025 is modified to the extent that the Award shall be in favour of the third respondent viz., Ranjani W/o Lokeshbabu and the Award passed in favour of the respondents 1 and 2 is set aside.

No costs. Consequently, connected miscellaneous petition is closed.

01-12-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes/no
sr



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P.B.BALAJI.J

sr

To

The Motor Accidents Claims Tribunal/
Special Judge-II, Small Causes Court, Chennai.

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