



C.R.P.Nos.3867, 3868 and 3869 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-10-2025

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

C.R.P.Nos.3867, 3868 and 3869 of 2025

Punitha	 Petitioner in CRP No.3867 of 2025
Kishore	 Petitioner in CRP No.3868 of 2025
Adhithyan	 Petitioner in CRP No.3869 of 2025

VS

1.New Pandian Travels Private Ltd,
No.1078-B, 19th Main Road,
1st Block, Anna Nagar,
Chennai-600 049.

2. TATA AIG General Insurance Co Ltd.,
2nd Floor, Samson Towers,
Pantheon Road,Egmore,
Chennai-600 006

... Respondents in all the revisions

Revisions filed under Article 227 of the Constitution of India against the impugned docket order dated 24.10.2024 made in an unnumbered Interim Applications in IASR Nos.2289, 2291 and 2290 of 2024 in MCOP No.125 of 2022 on the file of Subordinate Court, Thiruvottiyur, returning the permissin petition fild Under Section 20(8)(9) of the Motor Vechiles Rules.

For Petitioner : Mr.Usha Raman
for Mr.R.Venkatesulu

For Respondents : No appearance



C.R.P.Nos.3867, 3868 and 3869 of 2025

COMMON ORDER

WEB COPY

These revisions are filed by the wife and children/sons of the deceased Sivakumar, who died in a motor accident and claiming compensation, the petitioners filed MCOP No.125 of 2022 before Sub Court, Thiruvottiyur.

2. The claim was referred to National Lok Adalat and on 09.03.2024, the parties have arrived at a sum of Rs.40,00,000/-(Rupees Forty Lakhs only) as full and final settlement of the claim of compensation. The entire amount has been deposited by the Insurance Company/second respondent.

3. The petitioners moved applications for payment out of Rs.20,00,000/-(Rupees Twenty Lakhs Only). However, the Court permitted withdrawal of Rs.10,00,000/-(Rupees Ten Lakhs Only) on account of the share of the petitioner/wife in CRP No.3867 of 2025 and Rs.5,00,000/-(Rupees Five Lakhs Only) **each** on account of the petitioners/sons in CRP Nos.3868 and 3869 of 2025. The Insurance Company did not have any objection for the amount to be paid out to the petitioners.

4. Now the petitioners have filed fresh applications for withdrawal of

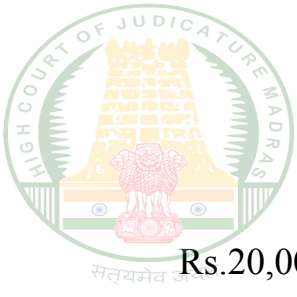


C.R.P.Nos.3867, 3868 and 3869 of 2025

remaining Rs.20,00,000/-(Rupees Twenty Lakhs Only), i.e., Rs.10,00,000/-(Rupees Ten Lakhs Only) to the petitioner/wife in CRP No.3867 of 2025 and Rs.5,00,000/-(Rupees Five Lakhs Only) each to the petitioners/sons in CRP Nos.3868 and 3869 of 2025.

5. Even in the present applications, the Insurance Company has not raised any objection and in fact, they have taken notice and also made an endorsement that they do not intend to file counter. The Court returned the applications stating that the petitioners have already withdrawn the amount and as to how they are entitled to maintain the present applications.

6. Learned counsel for the petitioners states that the matter was compromised before the Lok Adalat for a sum of Rs.40,00,000/-(Rupees Forty Lakhs only) only in order to clear the pressing debts incurred to meet the medical expenses of the deceased husband of the petitioner/wife in CRP No.3867 of 2025 and the father of the petitioners in CRP Nos.3868 and 3869 of 2025 respectively. The Insurance Company has also settled the claim before the Lok Adalat and deposited the entire amount of Rs.40,00,000/-. There is no impediment for the petitioners to withdraw the balance amount of



C.R.P.Nos.3867, 3868 and 3869 of 2025

Rs.20,00,000/-(Rupees Twenty Lakhs Only). In fact that they have been permitted to withdraw Rs.20,00,000/-(Rupees Twenty Lakhs Only). The earlier application cannot prevent the petitioners from seeking withdrawal the balance amount of Rs.20,00,000/- to which they are legitimately entitled to.

7. The court ought to have numbered the applications and considering the fact that the Insurance Company has already made an endorsement that they do not have any objection, the Court ought to have in fact allowed the applications and permitted the petitioners to withdraw the amount of Rs.20,00,000/-.

8. In view of the above, I am inclined to set aside the docket orders dated 24.10.2024 made in IA SR Nos.2289, 2291 and 2290 of 2024. The Subordinate Court, Thiruvottiyur shall number the applications and after hearing the counsel for the petitioners, pass orders on merits and in accordance with law.

9. The original applications shall be returned to the learned counsel for the petitioners within a period of one week from the date of receipt of a copy



C.R.P.Nos.3867, 3868 and 3869 of 2025

of this order.

WEB COPY

10. With the above direction, the civil revision petitions are allowed.

No costs.

09.10.2025

Index: Yes/No

Website:yes/no

Speaking Order/Non-speaking Order
sr

To

The Subordinate Court,
Thiruvottiyur



WEB COPY



C.R.P.Nos.3867, 3868 and 3869 of 2025

P.B.BALAJI.,

sr

CRP Nos.3867, 3868 and 3869 of 2025

10.10.2025