



C.R.P.No.5439 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2025

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THE HONOURABLE MR.JUSTICE S.SOUNTHAR

C.R.P.No.5439 of 2025
and C.M.P.No.27332 of 2025

SBI General Insurance Company Ltd.,
Mumbai, Having Office at 9th floor,
A&B Wing, Felerum Business Centre,
Sahar Road, Ashok Nagar,
Anderi (East), Mumbai – 400 799

Ashok Raj, S/o.Krishnaraj
Working as Legal Executive at
SBI General Insurance Company Ltd.,
3rd Floor, 3A Good shepherd Square,
Kodambakkam High Road, Chennai.

... Petitioner

VS.

1.Jeyakumar

2.Ramesh

3.Mohammed Valeeth

... Respondents



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PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to set aside the order dated 09.06.2025 passed in I.A.No.3 of 2025 in M.C.O.P.No.63 of 2024 on the file of Subordinate Judge, Karaikal.

For Petitioner : Mr.P.Suresh Srinivasan

ORDER

The Civil Revision Petition is filed challenging the order passed by the Motor Accident Claims Tribunal dismissing the application filed by the petitioner/insurance company seeking dismissal of the claim petition on the ground of limitation.

2. The 1st respondent herein filed a claim petition before the Motor Accident Claims Tribunal seeking compensation for the injuries suffered by him in a road accident. Admittedly, the accident had taken place on 25.04.2023 and the claim petition was laid on 06.06.2024.

3. The learned counsel appearing for the petitioner/insurance company submits that as per amended provisions of the Motor Vehicles



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(Amendment) Act, 2019, under Section 166 (3), no application for claiming compensation shall be entertained, if the application is presented beyond the period of six months and hence, the Tribunal committed an error in entertaining the application, which was filed beyond the period of limitation prescribed under the Motor Vehicles (Amendment) Act, 2019.

4. The Tribunal relied on the judgment of this Court rendered in ***Malaravan vs. Praveen Travels Private Limited (C.R.P.No.2558 of 2023, dated 18.08.2023)*** reported in ***(2023) 5 MLJ 57*** and dismissed the interlocutory application filed by the Insurance Company.

5. In ***Malaravan*** case cited supra, while considering the question of limitation, this Court observed as follows:-

“27.The Parliament in its wisdom has ensured that the hapless victims of motor accidents need not depend upon stakeholders in Court for the purpose of initiation of proceedings. The proceeding itself is initiated on the basis of the report filed by the Police Authorities. In effect, the petition under Section 166 is only a reminder to the Court that the



police have already filed the Detailed Accident Report containing all the requisite details like the First Information Report, Interim Accident Report, First Accident Report and therefore, it has to take up the said report as a claim petition. In other words, the claim petition is only a reminder to the Motor Accidents Claims Tribunal to perform its duty under Rule 21 Annexure XIII of Central Motor Vehicles Rules and to process the claim petition.

28. In view of the above discussion, it is clear that in cases where any request is filed and accessible by the Tribunal, then there will be no question of six months limitation arising. The issue of six months limitation will arise only in case where no FIR has been registered by the Police and no report has been sent/uploaded.”

6. In the case on hand, the accident had occurred on 25.04.2023 and the FIR was registered on the very same date. In such circumstances, as per the law laid down by this Court in the above mentioned case law, the claim petition cannot be treated as time barred. The learned Tribunal rightly appreciating the law laid down by this Court in the above mentioned case law and dismissed the interlocutory application filed by the



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petitioner/Insurance Company, I do not find any material irregularity or illegality in the order passed by the Subordinate Judge/Motor Accident Claims Tribunal, Karaikal, in I.A.No.3 of 2025 in M.C.O.P.No.63 of 2024, dated 09.06.2025.

7. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, the connected civil miscellaneous petition is closed.

07.11.2025

Index : Yes
Speaking order : Yes
Neutral Citation : Yes
dm

To

The Subordinate Judge,
Karaikal.



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S.SOUNTHAR, J.

dm

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