



C.R.P. No.5566 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

C.R.P. No.5566 of 2025

1.Rani
W/o. Arivazhagan,
Residing at Naneri Village,
Villakuttai Post, Vaniyambadi Taluk,
Vellore District.

2.Arivazhagan
S/o. Krishnan,
Residing at Naneri Village,
Villakuttai Post, Vaniyambadi Taluk,
Vellore District.

Petitioner(s)

Vs

1.Arumugam
S/o. Krishnan,
No.267, Mandalavadi Village and Post,
Tirupattur Taluk, Vellore District.

2.Magma Insurance Company Limited
No.600, Nelson Manickam Road,
Aminjikarai, Chennai-94.

Respondent(s)



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PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the fair and decreetal order dated 16.10.2024 in I.A.No.4 of 2024 in M.C.O.P. No.207 of 2019 on the file of the MACT, Subordinate Judge, Vaniyambadi.

For Petitioner(s) : Mr.P.Terry Chella Raja

ORDER

The revision petition has been filed challenging the order in I.A.No.4 of 2024 in M.C.O.P.No.207 of 2019 on the file of the Subordinate Judge, Vaniyambadi.

2. Heard the learned counsel for the petitioner.

3. The learned counsel for the petitioner submits that despite making out just and sufficient cause for withdrawing the balance compensation amount before the said Court, the learned Judge has summarily dismissed the application by a non-speaking order. I find that the impugned order is as follows:

“Heard, records perused. Reasons stated in the accompany affidavit is not satisfied. Hence this petition is dismissed. No costs.”



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4. In the affidavit filed in support of I.A.No.4 of 2024, the petitioners had stated that they are the parents of the deceased who died in a motor accident.

They have clearly stated that after contest, an award was passed and they were entitled for compensation of Rs.13,84,200/- and the Insurance Company has deposited the entire award amount payable to the petitioner to the Court deposit. The petitioners have already withdrawn 50% of the compensation amount, and insofar as the remaining 50% it is stated that the petitioners are planning to purchase a property adjacent to their land. In order to meet the sale consideration, they require the balance award amount lying in the Court deposit.

5. Without even considering any of the averments set out in the affidavit filed in support of I.A.No.4 of 2024, clearly a non-speaking order has been passed by the said Court. Both the petitioners are majors and the Insurance Company has also endorsed no objection for the petitioners' withdrawing the balance 50% amount from the Court deposit. The Court ought not to have dismissed the application.

6. In the light of the above, the Civil Revision Petition is allowed. The interim application in I.A.No.4 of 2024 is set aside and the petitioners are entitled to withdraw the balance 50% from the Court deposit. The amount shall



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be released to the petitioners within a period of eight (8) weeks from the date of receipt of a copy of this order. In view of the limited prayer sought for by the petitioners, notice to the private respondent is dispensed with. No costs.

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Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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To:
The Motor Accident Claims Tribunal/
Subordinate Judge,
Vaniyambadi.



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P.B. BALAJI, J.

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