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IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 27.01.2025**

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

**Rev.Appl.No.253 of 2022**

**in**

**C.M.A.No.1061 of 2008**

M/s.Sakthi Transports,  
having its office at 129-1,  
Palani road,  
Gandhi Nagar,  
Udumalpet.

... Petitioner

Vs.

1.Minor S.Sangeetha,  
represented by her next friend and  
Guardian father Mr.Swaminathan

2.Thangavel

3.M/s.New India Assurance Company Ltd.,  
represented by its Branch Manager,  
Dharapuram – 638 657.

... Respondents

**Prayer:** Review Application filed under Order XLVII Rule 1 r/w  
Section 114 of C.P.C. to review the judgement and decree dated  
13.04.2014 made in C.M.A.No.1061 of 2008 passed by this Court.



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For Petitioner : Mr.N.Umapathi

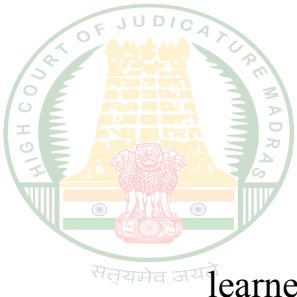
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### **ORDER**

This Review Application has been filed seeking to review the judgment and decree dated 13.04.2014 made in C.M.A.No.1061 of 2008 passed by this Court.

2. Learned counsel for the review petitioner submitted that the petitioner had filed a Civil Miscellaneous Appeal in C.M.A.No.1061 of 2008, against the judgment and decree in M.C.O.P.No.86 of 2006 dated 11.07.2007 on the file of the Motor Accidents Claims Tribunal [Sub-Court], Udumalpet and this Court, vide judgment dated 13.04.2014 allowed the said Appeal enhancing the claim of the appellant therein/claimant from Rs.50,000/- to Rs.1,78,560/-, without serving notice to the review petitioner/owner of the offending vehicle. Hence, the petitioner has come up with this Review application.

3. Review applications can be entertained only on the ground of error apparent on the face of records or clerical error. In the present case,



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learned counsel for the petitioner raised issue on the factual aspect which cannot be entertained by way of the present Review application and a new ground which has not been canvassed cannot be the basis for filing the review application. Further, for the disability sustained by the 1<sup>st</sup> respondent/claimant, the enhanced compensation awarded by this Court is just and reasonable and the same does not require any interference. Hence, this Court is of the view that, the prayer sought for by the petitioner cannot be acceded to and is liable to be dismissed.

4. Accordingly, the review application is dismissed. No costs.

**27.01.2025**

Index : Yes / No

Speaking order / Nonspeaking order

Neutral Citation Case : Yes / No

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To

The Motor Accidents Claims Tribunal [Sub-Court], Udumalpet.



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**M.DHANDAPANI, J.**

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