



C.R.P(MD)No.563 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.03.2025**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P(MD)No.563 of 2025

Minor.Manoj

... Petitioner/Petitioner/
Claimant

Vs.

National Insurance Company Limited,
Through its Divisional Engineer,
37C, S.N.High Road,
Tirunelveli,
Tirunelveli District.

... Respondent/Respondent
2nd Respondent

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to direct the Motor Accident Claims Tribunal (Special Subordinate Court), Tirunelveli to number I.A.SR.No.42 of 2025 in M.A.C.O.P.No.336 of 2017.

For Petitioner : Mr.M.S.Suresh Kumar



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ORDER

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The claimant in M.A.C.O.P.No.336 of 2017 on the file of Motor Accident Claims Tribunal (Special Subordinate Court), Tirunelveli has filed the present revision petition challenging the docket order passed in I.A.SR.No.42 of 2024 on 02.01.2025 wherein the tribunal has refused to number the application for withdrawal of the award amount.

2. A perusal of the records reveal that the minor petitioner has suffered injuries in an accident and he had filed M.A.C.O.P.No.336 of 2017, in which an award came to be passed in favour of the minor on 16.12.2020. The award was passed for a sum of Rs.21,76,200/-. Since the claimant was a minor, the amount was deposited in a Bank. Now, the present application has been filed seeking the permission of the Court to withdraw the amount. The trial Court has returned the application on the ground that minor share amount cannot be disbursed until he attains majority.



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WEB COPY 3. A perusal of Clause 20 (11) of Tamil Nadu Motor Vehicles

Rules, 1989 reveals that in personal injury cases, if further treatment is necessary, on being satisfied for the reasons to be recorded in writing, permission can be granted for withdrawal of the amount to the extent it is necessary for the treatment.

4. In the present case, the minor has sustained injuries and an award amount has been passed. According to the learned counsel for the revision petitioner, for further treatment arising out of the said accident, they want to withdraw the amount. In such circumstances, the tribunal cannot return the application as not maintainable. Therefore, the docket order impugned in the revision petition is set aside. The Motor Accident Claims Tribunal (Special Subordinate Court), Tirunelveli is directed to number the application. It is made clear that the tribunal shall consider the genuineness of the request for further treatment and the extent of amount that may be required for further treatment and proceed to pass order in accordance with law.



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WEB COPY 5. This Civil Revision Petition is allowed. No costs.

04.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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**Note : Registry is directed to return the original
impugned order to the petitioner counsel.**

To

- 1.The Motor Accident Claims Tribunal
(Special Subordinate Court), Tirunelveli
- 2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court, Madurai.



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R.VIJAYAKUMAR,J.

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Order made in
C.R.P(MD)No.563 of 2025

04.03.2025