



C.R.P.(PD)(MD)No.594 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 28.02.2025

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

C.R.P.(PD)(MD)No.594 of 2025

P.Sridhar

...Petitioner/Petitioner

Vs.

1.C.Kannan

2.The United India Assurance Company Limited,

Branch office at:

78, Kamarajar Salai,

Cauvery Nagar,

Kulithalai Taluk,

Karur District.

...Respondents/Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, as against the Docket Order in M.C.O.P.No.248 of 2022, on the file of the learned Subordinate Judge, Kulithalai, Karur District, dated 01.02.2024 and direct the learned Subordinate Judge, Kulithalai, to take M.C.O.P.No.248 of 2022 on file and dispose of it in accordance with law.

For Petitioner : Mr.N.Sudhagar Nagaraj

* * * * *



C.R.P.(PD)(MD)No.594 of 2025

WEB COPY

ORDER

The claimant in M.C.O.P.No.248 of 2022, on the file of the Motor Accident Claims Tribunal/Sub Court, Kulithalai, has filed the present revision petition, challenging the docket order, dated 01.02.2024, wherein the claim petition has been returned on the ground that the concerned Court does not have territorial jurisdiction.

2.The accident has taken place within Thanthonimalai Police Station which is situated in Karur District. The claimant is residing at Musiri Taluk, Trichy District. The owner of the offending vehicle is also residing at Srirangam Taluk, Trichy District. The concerned Insurance Company is having its office at Kulithalai Taluk, Karur District. The claimant had chosen to file the claim petition before the Motor Accident Claims Tribunal, Kuzhithalai.

3.A perusal of the Section 166(2) of the Motor Vehicles Act, 1988, reveals that the claim petition can be filed in a tribunal, having jurisdiction where the accident has taken place or where the claimant is residing or carrying on business or where the defendant resides or carrying on business. In the present case, the second respondent Insurance Company is having its office at



C.R.P.(PD)(MD)No.594 of 2025

Kuzhithalai Taluk, Karur District. In such circumstances, the Tribunal was not right in returning the claim petition. The docket order impugned in the revision petition is hereby set aside and the concerned claim Tribunal is directed to proceed to number the claim petition. Accordingly, this Civil Revision Petition stands disposed of. No costs.

4.The Registry is directed to return the original impugned order after getting due acknowledgment from the learned Counsel appearing for the revision petitioner.

28.02.2025

Internet:Yes/No
Index:Yes/No
RJR

To

The learned Subordinate Judge, Kulithalai,
Karur District.

Copy to:-

The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



WEB COPY



C.R.P.(PD)(MD)No.594 of 2025

R.VIJAYAKUMAR, J.

RJR

C.R.P.(PD)(MD)No.594 of 2025

28.02.2025