



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.06.2025

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

C.R.P.(MD)No.1539 of 2025

S.Vijaya Baskar

...Petitioner

Vs.

1.Ravi

2.ICICI Lombard General Insurance Co.Ltd.,
Zenith Houses, Keshavrao Khade Marg, Mahalaxmi,
Mumbai-400 034.

...Respondents

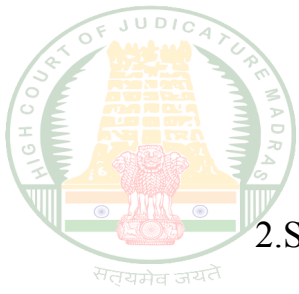
PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to direct the Principal District Court, Pudukkottai to number the unnumbered E.A.No.... 2024 in M.C.O.P.No.62 of 2010 on the file of the Principal District Court, Pudukkottai.

For Petitioners : Mr.PT.S.Narendravasan

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ORDER

The petitioner has filed this Civil Revision Petition seeking a direction to the Principal District Court, Pudukkottai to number the unnumbered E.A.No.... 2024 in M.C.O.P.No.62 of 2010.



2.Since no adverse order is going to be passed as against the respondents, notice to the respondents is dispensed with.

3.The petitioner along with his minor son filed a claim petition in M.C.O.P.No.62 of 2020 on the file of the Motor Accident Claims Tribunal, Pudukkottai. After adjudication, the Tribunal has awarded a sum of Rs. 6,75,200/- as compensation. Aggrieved by the quantum of award, the petitioner along with his son filed an appeal before this Court seeking enhancement of compensation in C.M.A.No.1042 of 2017. This Court by an order 12.04.2023 enhanced the compensation from Rs.6,75,200/- to Rs.11,79,600/- with interest at the rate of 7.5%. While ordering enhancement of compensation, this Court has observed that the first claimant is entitled to a sum of Rs.5 lakhs as compensation and the balance amount shall be paid to the second claimant. Thereafter, the petitioner filed an execution application before trial Court claiming his share of Rs.5 lakhs with interest at the rate of 7.5%. However, the said execution petition was rejected. Challenging the same, the present Civil Revision Petition is filed.

4.Perusal of the judgment of this Court dated 12.04.2023 in C.M.A.No. 1042 of 201 shows that this Court has admittedly enhanced the compensation to the tune of Rs.11,79,600/- with interest at 7.5% from the date of petition from



the date of deposit. However, this Court has specifically observed that the first claimant is only entitled to a sum of Rs.5 lakhs and the entire balance amount including interest shall be paid to the second claimant /minor son. However, the petitioner filed the execution petition seeking his share of Rs.5 lakhs along with interest. Hence, the execution petition of the petitioner was returned.

5.In view of the above, the petitioner is directed to re-present the execution application in line with the judgment of this Court dated 12.04.2023. On such re-presentation, the execution Court is directed number the same and pass appropriate orders in accordance with law.

6.With the above direction, this Civil Revision Petition is disposed of.
No costs.

03.06.2025

NCC:Yes/No
Index:Yes/No
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To:

- 1.The Principal District Court, Pudukottai.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.



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C.R.P.(MD)No.1539 of 2



M.DHANDAPANI, J.

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03.06.2025