



CRP(MD). No.2460 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 10/09/2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

CRP(MD). No.2460 of 2025

Branch Manager,
Bajaj Allianz General Insurance Company,
4E, Main Road,
Valliyoor - 627 117.

... Petitioner / Respondent

Vs

1. Jeyanthi,
Wife of Mohanran,
141-A, Murugan Pathai Kudirupu,
Valliyoor, Radhapuram Taluk,
Thirunelveli District.

2. Vijaya Sri,,
Daughter of Mohanran,
141-A, Murugan Pathai Kudirupu,
Valliyoor, Radhapuram Taluk,
Thirunelveli District.

... Respondents / Petitioners

PRAYER :-

Civil Revision Petition filed under Section 115 of Civil Procedure Code, to set aside the order passed in IA No 6 of 2024 in MCOP No 127 of 2016 on the file of Motor Accident Claims Tribunal of Valliyoor dated 04.01.2025.

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For Petitioner : Mr.V.Sakthivel,
Advocate.

ORDER

This Civil Revision Petition is filed to set aside the order passed in IA No 6 of 2024 in MCOP No 127 of 2016 on the file of Motor Accident Claims Tribunal of Valliyoor dated 04.01.2025.

2. Learned counsel for the petitioner would submit that after the orders were passed in the interlocutory application, an award had been passed in the MCOP No.127 of 2016, against which the petitioner has also filed an appeal. He would further submit that without considering the claim of the petitioner to reopen and to receive the additional counter, the entire award itself becomes non-erst award. He would submit that the Court had wrongly dismissed the application by holding that the same had been filed at a belated stage. Therefore, he seeks interference of the order.

3. I have considered the submissions and perused the materials available on record.



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4. Admittedly, the main MCOP itself had been disposed of by the Court below. If that be so, there is no useful purpose in adjudicating the present Civil Revision Petition.

5. Considering the fact that the petitioner seeks to file an additional counter affidavit, this Court is of the view that this Civil Revision Petition can be disposed of with liberty to the petitioner to raise the ground that he seeks to file, by way of additional counter in the appeal.

6. In such view of the matter, this Civil Revision Petition is disposed of, with liberty to the petitioner to raise all grounds raised in the additional counter affidavit that he sought to be filed, in the appeal. No costs.

10.09.2025

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

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K.KUMARESH BABU, J.

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To

1. The Motor Accident Claims Tribunal of Valliyoor.
2. The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRP(MD) No.2460 of 2025

Date : 10/09/2025