

CRP(MD). No.1571 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 03/06/2025

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

CRP (MD). No.1571 of 2025

M.Abdul Rasith

... Petitioner

Vs

1. A. Mohamed Ali Jinna,
S/o. Abdulla,
97-A, Siruvayal,
Aranmanisiruvayal,
Karaikudi Taluk,
Sivagangai 630 305..

2. The National Insurance Company Limited,,
Represented Through its Divisional Manager,
Door No.3,North Veli Street,
Madurai 625 001.

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the petition and docket order dated 10.03.2025 made in MCOP No.1376 of 2022 on the file of IV Additional Sub Court, Madurai.

For Petitioner : Mr.C.Godwin



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ORDER

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The Civil Revision Petition is filed against the order dated 10.03.2025 in MCOP No.1376 of 2022 on the file of IV Additional Sub Court, Madurai.

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

3. The case of the petitioner is that the petitioner met with an accident on 17.03.2022 and thereafter for claiming compensation for the injury sustained by him, he filed a claim petition before the Motor Accident Claims Tribunal in MCOP No.1376 of 2022. The trial Court referred the petitioner to medical board. The petitioner filed a memo before the trial Court on 30.09.2024 for examining a private doctor for assessing the disability suffered by him. The medical board refused to examine the petitioner on the ground that since the petitioner has taken treatment at a private hospital and hence, his disability could not be assessed. The memo dated 30.09.2024 was rejected and hence, challenging the said docket order, the petitioner is before this Court.

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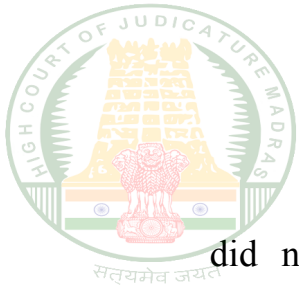
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4. The learned counsel for the petitioner would submit that the petitioner is a poor man and he stated in his claim petition that immediately after the accident, he was admitted in the Government Rajaji Hospital and after medical advice, he left the hospital and was admitted in the private hospital, namely, Harshitha hospitals and Neoway hospital and treated as out-patient and the petitioner has also produced the medical opinion dated 18.03.2022 and in order to assess the disability, he has filed a memo, which was rejected and hence, prays for appropriate direction.

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

6. Considering the prayer sought for and that the claim of the petitioner was that the accident was occurred on 17.03.2022, whereas the medical records available dated 17.08.2023 shows that he was treated as outpatient. However, the records produced by the petitioner is not sufficient to the medical board to assess the disability and the petitioner



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did not produce the copy of the Accident Register issued by the Government Hospital or any private hospital, where he took treatment.

However, without any further treatment and medical records, the medical opinion dated dated 18.03.2022 is not sufficient to examine the petitioner. The medical board memo dated 22.08.2024 is not available before this Court and the trial Court recorded the memo filed by the medical board vide its proceedings dated 22.10.2024 and that the said proceedings cannot be challenged in a civil revision petition. Hence, the civil revision petition is dismissed with liberty to the petitioner to work out his remedy in the manner known to law. No costs.

03.06.2025

NCC : Yes/No

Index : Yes/No

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TO

1.The IV Additional Sub Court, Madurai.

2.VR Section

Madurai Bench of Madras High Court, Madurai.



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M.DHANDAPANI,J

RR

**ORDER
IN
CRP(MD) (NPD) No.1571 of 2025**

Date : 03/06/2025