



C.R.P.(PD)(MD).Nos.1910 & 1915 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

C.R.P.(PD)(MD)Nos.1910 & 1915 of 2021

and

C.M.P.(MD)Nos.10298 and 10321 of 2021

Sangeetha

... Petitioner in both petitions

Vs.

1.Murugan

2.Perumal

... Respondents in both petitions

COMMON PRAYER: Civil Revision Petitions - filed under Article 227 of Constitution of India, to set aside the executable and fair order passed in I.A.Nos.363 and 362 of 2021 in M.C.O.P.Nos.456 and 454 of 2015 by the Motor Accident Claims Tribunal at Dindigul.

In both petitions:

For R2

For R1

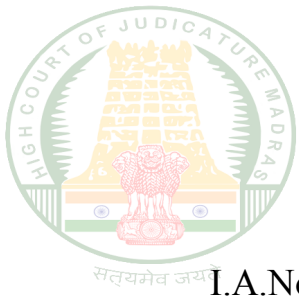
For Petitioner : Mr.M.Gurudas

: Mr.K.R.Laxman

: No Appearance

COMMON ORDER

These Civil Revision Petition is filed challenging the order passed in



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I.A.Nos.363 and 362 of 2021 in M.C.O.P.Nos.456 and 454 of 2015 on the file of the Motor Accident Claims Tribunal, Dindigul.

2.The petitioner is the owner of a Scorpio Car bearing registration No.TN-57-S-0306. Subsequently, the sold the car to one Perumal. Thereafter, the car met with an accident. In the claim petitions filed by the claimants, who sustained injuries in the said accident, the petitioner was impleaded as first respondent. However, the subsequent purchaser was not impleaded as respondent in the claim petitions. Thereby, the petitioner filed an impleading petitions under Order 1 Rule 10 of CPC and the same were dismissed on the ground that the said Perumal is not a necessary or proper party. Challenging the same, the present Civil Revision Petitions are filed.

3.The learned counsel for the petitioner would submit that the petitioner sold the car to Perumal on 06.07.2014. The car met with an accident only on 28.02.2015 and at that time of the accident, the claimants were travelled as a passenger in the said car. Since at the time of accident, the vehicle was not insured with any of the insurance company, the owner of the vehicle was alone impleaded as respondent. He submits that at the time of



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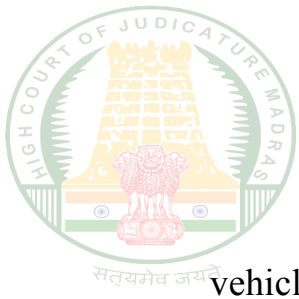
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accident, the said Perumal is the owner of the vehicle in question, since the petitioner sold the vehicle in favour of one Perumal. Unless the said Perumal is impleaded as party, great prejudice will be caused to the petitioner. The trial Court without considering all these aspects, has dismissed the impleading petitions filed by the petitioner and the same is not sustainable.

4.Per contra, the learned counsel for the second respondent submits that as per the RTO report, the owner of the vehicle is only the petitioner at the time accident. Hence, the name of the petitioner was included in the claim petition.

5.Heard the learned counsel appearing for the petitioner as well as the second respondent in both petitions and perused the materials placed on record.

6.The petitioner was impleaded as a respondent in a claim petitions in M.C.O.P.Nos.456 and 454 of 2015 on the ground that at the time of accident, the petitioner is the owner of the vehicle, which involved in an accident. It is admitted that RTO records reveal that the petitioner is the owner of the



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vehicle in question at the time of accident. Hence, the claimants have included only the petitioner as respondent in the claim petition. Since the car was not insured with any of the insurance company, the owner of the vehicle was included in the claim petition. Though it is claimed that the petitioner has sold the car in favour of one Perumal, the RTO Records reveal the name of the petitioner alone as owner of the car at the time of accident. The said issue was rightly appreciated by the trial Court and the same need not interfered.

7. Accordingly, these Civil Revision Petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

24.06.2025

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

1. The Motor Accident Claims Tribunal, Dindigul.

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2. The Section Officer,
Vernacular Records,
Madurai Bench of Madras High Court,
Madurai.



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M.DHANDAPANI,J.

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