



CRP(MD). No.3493 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 25/11/2025

CORAM

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

CRP(MD). No.3493 of 2025

V.Pitchai,

... Petitioner

Vs

1. Saravanan,

2. The Divisional Manager,
New India Assurance Company Limited,
Amman Complex,
1st Floor, 1360/a,
Evn Road,
Erode..

3. The Branch Manager,,
New India Assurance Company Limited,
KVR Complex,
80 Feet Road,
Karur..

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of The Constitution of India to set aside the returning order dated 22.08.2025, passed in Unnumbered MCOP No. of 2025 (Filing No.821/2025) (CNR No.TNKR010024052025) on the file of the Motor Accident Claims



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Tribunal, Karur by allowing this revision petition and direct the registry to return the original petition in unnumbered MCOP.

For Petitioner : M/s.T.Mathan,

ORDER

This Civil Revision Petition has been filed to set aside the returning order dated 22.08.2025, passed in Unnumbered MCOP No. of 2025 (Filing No.821/2025) (CNR No.TNKR010024052025) on the file of the Motor Accident Claims Tribunal, Karur by allowing this revision petition and direct the registry to return the original petition in unnumbered MCOP.

2. The petition filed by the petitioner was returned by the Court below indicating that it did not have territorial jurisdiction to deal with the issue and further stating that only the third respondent resides in Karur District.

3. The learned counsel for the petitioner would submit that the Court below failed to consider that an MCOP can be filed either at the



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place where the accident occurred or at the place where the claimant resides or carries on business. The jurisdiction for filing an MCOP is envisaged under Section 166(2) of the Motor Vehicles Act, 1988, and the same is extracted as follows:

" Every application under sub-section (1) shall be made, at the option of the claimant, either to the Claims Tribunal having jurisdiction over the area in which the accident occurred or to the Claims Tribunal within the local limits of whose jurisdiction the claimant resides or carries on business or within the local limits of whose jurisdiction the defendant resides, and shall be in such form and contain such particulars as may be prescribed:

4. The Court below ought not to have returned MCOP on the ground of jurisdiction, even in MCOP petition, the petitioner had stated that he is residing at Karur and he had also placed his Aadhar Card and Bank pass book to support of his claim.

5. In view of the above, the return made by the Court below is set aside and this Court directs the Motor Accident Claims Tribunal, Karur



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to take the petition (Filing No.821 of 2025) on file and proceed further in accordance with law. The appearance of the petitioner before the Court below is dispensed with except at the time of hearing and when his presence is required by the Tribunal.

6. With the above directions, this Civil Revision Petition is disposed of. No Costs.

25.11.2025

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TO

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

Note: Registry is directed to return the original application filed along with this Civil Revision Petition to the petitioner.



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K.KUMARESH BABU,J

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**ORDER
IN
CRP(MD) No.3493 of 2025**

Date : 25/11/2025