



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 3554 of 2026

1. Vasanthi
W/o Late Gopi,
Res at North Nehur,
Palaiyur Post,
Karur Taluk, Karur District
2. Minor Roshan
S/o Late Gopi,
Res at North Nehur,
Palaiyur Post,
Karur Taluk, Karur District
(Minor rep by 2 and 3 mother,vasanthi)
3. Minor Abinesh
S/o Late Gopi,
Res at North Nehur,
Palaiyur Post,
Karur Taluk,
Karur District
(Minor rep by 2 and 3 mother,vasanthi)
4. Palaniammal
W/o Natesan,
Res at North Nehur,
Palaiyur Post,
Karur Taluk,
Karur District

..Petitioners

Vs

1. Sathiyamoorthi
S/o Rajendren
Sankari Main Road,
Annathanapatti,
Salem Tk, Salem Dt



2. Oriental Insurance Company
Limited, Chennai.

..Respondents

To allow Civil Revision Petition setting aside, fair order dated 15.07.2025 passed in IA.No.2 of 2025 in MCOP.No.432 of 2009 on the file of the Motor Accident Claims Tribunal, Namakkal.

For Petitioners : Mr.Senthil S

Order

This petition has been filed by the claimants seeking to set aside the order passed in I.A.No.2 of 2025 in MCOP.No.432 of 2009 on the file of the Motor Accident Claims Tribunal, Namakkal. The said interlocutory application was filed for condonation of delay of 3643 days in filing an application to set aside the exparte decree.

2. Before the Tribunal, the petitioners filed an application to condone the delay of 3643 days in filing a petition to restore the claim petition, which had been dismissed for default on 05.06.2014. Upon hearing both sides, the learned Trial Judge dismissed the application holding that, the claimants had not shown any sufficient cause for the delay. Aggrieved thereby, the present revision has been filed.

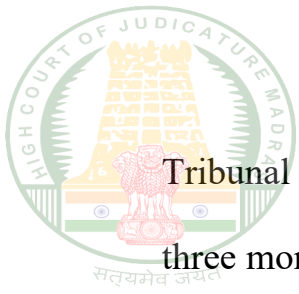


3. Learned counsel for the petitioners/claimants submits that, being illiterate, the claimants were unable to properly follow the proceedings or give proper instructions to their counsel and hence, they could not file the petition set aside the dismissal order in time.

4. Heard the learned counsel for the petitioner.

5. On perusal of the impugned order, it is seen that the claimants are the legal heirs of the deceased Gopi, who died in a fatal accident on 22.03.2009 due to rash and negligent driving of the vehicle belonging to the first respondent, Sathiamoorthy. The claimants had filed MCOP.No.432 of 2009 seeking compensation. When the matter was posted for cross examination of PW1 on 13.03.2014, 24.04.2014 and 05.06.2014, neither the claimants nor their counsel entered appearance, and consequently, the claim petition was dismissed for non-prosecution. Therefore, to condone the delay of 3643 days in filing an application to set aside the dismissal order, the claimants filed I.A.No.2 of 2025.

6. Considering that the petitioners/claimants have been pursuing the matter since 2009 without receiving any compensation, this court is inclined, in the interest of justice, to set aside the order passed in I.A.No.2 of 2025. Accordingly, MCOP.No.432 of 2009 on the file of Motor Accident Claims Tribunal, Namakkal is ordered to be restored. The Motor Accident Claims



Tribunal is directed to dispose of MCOP.No.432 of 2009 within a period of three months from the date of receipt of a copy of this Order after issuing notice to all the legal heirs of the deceased Gopi.

7. With the above direction, this Civil Revision Petition is disposed of.

No costs.

24-06-2026

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No



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To

The Motor Accident Claims Tribunal,
Sub Court, Namakkal.



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T.V.THAMILSELVI J.

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