



WEB COPY

CRP No. 5365 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-02-2026

CORAM

THE HONOURABLE MR.JUSTICE P.B. BALAJI

CRP No. 5365 of 2025

K.Devarajan

Petitioner(s)

Vs

1. M. Bhuvaneshwari

2.W. Jude Dennis Samuel,

3.M/s.I.C.I.C.I.Lombard General Insurance Company Ltd.,

Third Party Claim,

Office No.142, 1st Floor, ECR Main Road,

(Near-Latha Steel House), Kottupalayam,

Pondicherry 605 008.

Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to direct the Hon'ble Subordinate Judge, Alandur to accept the check petition filed in M.C.O.P.No.21 of 2015 on the file of Sub Court, at Tambaram and pass order as per the Award dated 06.02.2019 passed by the Lok Adalat on the basis of the affidavit filed by petitioner by declaring that the petition mentioned Devaraj and the check petition mentioned K.Devarajan are referring one and the same person namely K.Devarajan and pass such like or suitable orders and other orders as this Court may deem fit and proper to the facts and circumstances of the present case and thus render justice.

For Petitioner(s): Mr.M.Vijaya Kumar

For Respondent(s): No appearance-R1 and R2
Mr.R.V.Sivaraj for R3

**ORDER**

Heard the learned counsel for the petitioner and the 3rd respondent/Insurance Company.

2. The petitioner became entitled to an award in M.C.O.P.No.21 of 2015 on the file of Sub Court, Tambaram, however, the matter was settled before the Lok Adalat and the 3rd respondent/Insurance Company has also deposited the agreed compensation amount in full and final settlement.

3. The claimant has moved an application to withdraw the compensation amount. However, the learned Sub Court, Tambaram, has returned the said application finding mismatch in the name of the revision petitioner. It is stated that for want of jurisdiction the M.C.O.P's was transferred to Sub Court, Alandur.

4. The learned counsel for the petitioner states that the petitioner's name is K.Devarajan and not K.Devaraj and only by inadvertence, the name has been wrongly mentioned as K.Devaraj in the M.C.O.P's award and records and consequently, the award also contains a wrong name, K.Devaraj. The petitioner has also filed documentary evidence to establish his name as K.Devarajan and



not as K.Devaraj.

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5. I am satisfied that the mistake is only by inadvertence and neither wilful nor wanton. It is also stated that the 3rd respondent has already complied with the Lok Adalat award and the 3rd respondent has no serious objection that the amount to be paid out to the petitioner.

6. In the light of the above, I am inclined to allow the civil revision petition and issue direction to the Sub Court, Alandur to number the said cheque application filed in M.C.O.P.No.21 of 2015, notwithstanding the fact the award projects the name of the claimant as “K.Devaraj” instead of “K.Devarajan” and shall pass further orders to ensure that the claimant is paid out the amount, which is lying in the credit of the said M.C.O.P’s which has to be deposited by the 3rd respondent. The said exercise shall be completed within a period of three (3) weeks from the date of receipt of a copy of this order. No costs.

02-02-2026

Jd
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
To
The Sub Court, Alandur.



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P.B.BALAJI J.
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