



WEB COPY



CRP No. 5570 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 5570 of 2025 and CMP No.27922 of 2025

1. Manjula

W/o. Ramappa, D.No. 6/906, Obeypalayam
Village, Agaram Post, Denkanikottai Taluk,
Krishnagiri District, now residing at Wahab
Nagar, Royakotta Road, Krishnagiri -
635002. and 3 Others

2. Ramappa

S/o. Muniyappa, D.No. 6/906,
Obeypalayam Village, Agaram Post,
Denkanikottai Taluk, Krishnagiri District,
now residing at Wahab Nagar, Royakotta
Road, Krishnagiri - 635002.

3. Ambika

D/o. Ramappa, D.No. 6/906, Obeypalayam
Village, Agaram Post, Denkanikottai Taluk,
Krishnagiri District, now residing at Wahab
Nagar, Royakotta Road, Krishnagiri -
635002.

4. Lakshmi

D/o. Ramappa, D.No. 6/906, Obeypalayam
Village, Agaram Post, Denkanikottai Taluk,
Krishnagiri District, now residing at Wahab
Nagar, Royakotta Road, Krishnagiri -
635002.

Petitioner(s)

Vs



CRP No. 5570 of 2025

1. The Managing Director
TNSTC, Salem. (Divisional Office at
Bharathipuram, Dharmapuri).

Respondent(s)

Civil Revision Petition filed under Article 227 of the Constitution of India against the order dated 24.09.2025 made in I.A.No.2 of 2024 in MCOP No.300 of 2022 pending on the file of Learned Motor Accidents Claims Tribunal, Krishnagiri Special District Court for Motor Accident Claims Cases, Krishnagiri.

For Petitioner(s): C.Santhosh Kumar

For Respondent(s): No appearance

ORDER

There is no appearance on the side of the respondent. Heard the learned counsel for the petitioners.

2. The petitioners have filed an application in I.A.No.02 of 2024 under Order VI Rule 17 of Civil Procedure Code read with Section 151 of Civil Procedure Code to carry out necessary amendments in the original claim petition and the same was dismissed by the trial court. Aggrieved over the same, the petitioners have preferred the above revision.



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3. Learned counsel for the petitioners submits that originally the petitioners have filed a claim petition under Section 163(A) of Motor Vehicles Act, but, later they found that they ought to have filed a claim petition under Section 166 of Motor Vehicles Act as the son of the first petitioner died in the accident. But, the trial Court has erroneously dismissed the petition holding that no application for amendment shall be allowed after the trial has commenced unless the court is satisfied that, in spite of due diligence, the party could not have raised the matter before the commencement of trial.

4. Having considered the submissions of the learned counsel for the petitioners, this Court is of the opinion that at this stage opportunity has to be given to the parties since the first petitioner lost her son and if opportunity is not given, valuable right to get the compensation will be defeated.

5. In the light of the above, the order passed by the trial Court in I.A.No.2 of 2024 is set aside and I.A.No.2 of 2024 is allowed and the civil revision petition is allowed. Liberty is granted to the respondent to file their counter and thereafter proceed with the matter. The Motor Accidents Claims Tribunal/Krishnagiri Special District Court for Motor Accident Claim Cases, Krishnagiri is directed to dispose of MCOP



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T.V.THAMILSELVI.,J

sr

No.300 of 2022 on merits and in accordance with law within a period of three months from the date of receipt of a copy of this order.

No costs. Consequently, connected miscellaneous petition is closed.

06.04.2026

sr

Index:yes/no

Website:yes/no

Speaking Order/Non-Speaking Order

To

Motor Accidents Claims Tribunal, Krishnagiri

Special District Court for Motor Accident Claims Cases, Krishnagiri.

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