



CRP(MD). No.390 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 13.02.2026

CORAM

THE HONOURABLE MR. JUSTICE N.SENTHILKUMAR

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Raksana

... Petitioner

Vs

1.Cholamandalam MS General Insurance Company Limited,
Through its Branch Manager
Office at 2nd Floor
Dare house
Number 2, NSC Bose road
Chennai - 600 001.

2.Cholamandalam MS General Insurance Company Limited
Through its Branch Manager
Office at No. 10
First Floor,
Murugankurichi
Trivandrum Road
Palayamkottai, Tirunelveli.

... Respondents

PRAYER :-Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the impugned Complaint and Rejection order passed by the learned Motor Accident Claims Tribunal/Principal District Court, Tirunelveli in I.A.No.Unnumbered of 2025 in M.C.O.P.No. 42 of 2023 dated 06.11.2025 and to direct the learned tribunal to number the said Interim Application.

For Petitioner

: Mr.P.Dhinesh Kumar for
Mr.C.M.Arumugam



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ORDER

This Civil Revision Petition has been filed challenging the docket order dated 06.11.2025 made in I.A.No.unnumbered of 2025 in MACOP.No.42 of 2023 on the file of the Motor Accident Claims Tribunal (Principal District Judge), Tirunelveli.

2.The petitioner is the second claimant in the claim petition. The claim petition was filed by the petitioner's mother seeking compensation of Rs.1,50,00,000/- for the sudden and unfortunate death of the petitioner's father, namely, Panneerselvam, who entangled in a road traffic accident. The said petition was disposed of on 06.09.2024, awarding a sum of Rs.58,22,656/- towards compensation. Challenging the same, the respondents preferred an appeal in CMA(MD) No.1049 of 2025 and the same is pending before this Court.

3.At this juncture, the petitioner filed the present application seeking to declare her as Major in the above proceedings and to discharge her mother from the guardianship. However, the said petition was returned on 06.11.2025 by the Court below stating that



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CMA(MD) No.1049 of 2025 is pending. Hence, the petition is return'.

Challenging the same, the present Revision.

4.The learned counsel for the petitioner reiterating all the contentions set out in the memorandum of grounds of Civil Revision Petition would submit that returning the application by the Court below is a ministerial act. He would further submit that if the present application is not numbered, the petitioner will be put to irreparable loss and hardship. Therefore, he seeks interference of this Court with the order impugned in this Civil Revision Petition.

5.Heard the learned counsel for the petitioner and records perused. Since no adverse order is going to be passed against the respondents, notice to the respondents is dispensed with.

6.Admittedly, the claim petition filed by the petitioner's mother was disposed of on 06.09.2024, awarding a sum of Rs.58,22,656/- towards compensation and challenging the award, dated 06.09.2024, the respondents preferred an appeal in CMA(MD) No.1049 of 2025, which is now pending. At this stage, the application filed by the



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petitioner before the Court below seeking to declare her as Major was returned and the same is under challenge herein.

7.Considering the facts and circumstances of the case and after perusal of the averments made in the application, without going into the merits of the case, this Court directs the petitioner to re-present the application in I.A.No.unnumbered of 2025 before the Motor Accident Claims Tribunal (Principal District Judge), Tirunelveli, explaining the reasons whatever she wants with regard to her grievances in numbering such application, within a period of two weeks from the date of receipt of a copy of this order and on such re-presentation within the time stipulated by this Court, the learned Judge is directed to consider the same and pass appropriate orders with regard to numbering of such petition, after hearing the petitioner, in accordance with law, within a period of two weeks therefrom.

8.The Civil Revision Petition stands disposed of, with the aforesaid directions. No costs.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No

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***Note : Registry is directed to return the original papers,
if any, after getting necessary acknowledgment from
the learned counsel for the petitioner.***

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To

The Principal District Judge, Tirunelveli



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N.SENTHILKUMAR, J.

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