



C.R.P(MD)No.1636 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2026

CORAM

THE HON'BLE MR. JUSTICE S.SOUNTHAR

C.R.P.(MD)No.1636 of 2026

and

C.M.P(MD)No.7930 of 2026

R.Shanthi Mary

.. Petitioner

Vs.

1.Sunilkumar

2.Jeyasekar

3.Viju Jebaraj

4.The Branch Manager,
Reliance Insurance Co., Ltd.,
rep. by its Branch Manager,
Reliance Insurance Co., Ltd.,
Nagercoil,
Nagercoil Village,
Augesteeswaram Taluk,
Kanniyakumari District.

2.Bajaj Auto Ltd.,
Head Office,
Bajaji Auto Ltd Akurdi,
Pune – 411 035.

.. Respondents

PRAYER: Civil Revision Petition is filed under Article 227 of Constitution of India, to call for the records relating to the docket order in I.A.No.7 of 2025 in MCOP No.114 of 2017 passed by the Motor Accident Claims Tribunal / Sub Court, Padmanabhapuram dated 23.01.2026 and set aside the same.



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For Petitioner : Mr.N.Karthikeyan

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ORDER

The Civil Revision Petition is filed challenging the order in I.A.No.7 of 2025 in MCOP No.114 of 2017 passed by the Motor Accident Claims Tribunal / Sub Court, Padmanabhapuram dated 23.01.2026 dismissing the application filed by the petitioner seeking deletion of his name from the array of parties.

2. The 1st respondent filed a Motor Accidents Claims Petition seeking compensation for the injuries sustained by him in a road traffic accident. The first respondent was riding in a two-wheeler bearing Registration No. TN 75 X 7725 as pillion rider. The second respondent, Jeyasekar, is the owner of the said vehicle. The said vehicle met with an accident involving Pulsar motorcycle with no registration number. The said motorcycle was allegedly owned by the petitioner and the 5th respondent.

3. As per the facts narrated in the claim petition, the offending vehicle without registration had been sold by the petitioner to the 5th



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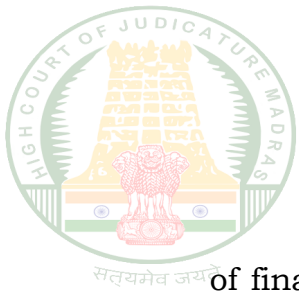
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respondent. Therefore, the petitioner was arrayed as one of the respondents in the claim petition.

4.The petitioner thereafter filed an application seeking deletion of his name from the array of parties, mainly contending that he was only a sub-dealer and that he had sold the vehicle to one Kobin on 30.08.2016. It is also stated that the petitioner was not the registered owner of the vehicle involved in the accident and that the vehicle had already been sold to the said purchaser. Therefore, according to the petitioner, his presence in the claim petition was unnecessary.

5.It is seen from the facts narrated in the claim petition that the petitioner, admittedly a sub-dealer, had sold the vehicle before its registration. The contentions raised by the petitioner in his counter, namely that he had sold the vehicle to Kobin prior to the accident, are matters which require adjudication on the basis of evidence during the trial. Such disputed questions of fact cannot be decided at the interlocutory stage while considering an application for deletion of a party.

6. The Tribunal, in the impugned order, rightly observed that the defence set up by the petitioner can be considered only at the time



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of final disposal of the main claim petition and accordingly dismissed the application. I do not find any irregularity or illegality in the order passed by the Tribunal warranting interference by this Court.

7. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, the connected Civil Miscellaneous Petition is also closed.

29.06.2026

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
skn

To
1.Motor Accident Claims Tribunal / Sub Court,
Padmanabhapuram.

2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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S.SOUNTHAR, J.

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