

Motor Accidents Claims Tribunal
(Special Sub Court No.1, Motor Accidents Claims Petitions)
Small Causes Court, Chennai

Present: M. Ziavur Rahuman, B.A.B.L.,
Special Sub Judge No.1 to deal with MCOP Cases.

This Wednesday, 02nd day of April 2025
M.P. No. 3 of 2025 in MCOP. No. 4749 of 2022

The New India Assurance Co. Ltd.,

....Petitioner/2nd Respondent

..Vs..

1. C. Raja
2. C. Selvam
3. Puduru Lakshmi

.....1st Respondent/Petitioner

2. Rani David Chennai 600 014.

...2nd Respondent/1st Respondent

This petition is coming up today before me for final hearing today in the presence of M/s. K. Naveen Kumar, K. Amudhavalli, counsels appearing for the Petitioner, Mr. A.E. Karunakaran, counsel appearing for the 2nd Respondent and upon hearing the arguments on both sides and upon perusing the entire records of the case, having stood over for consideration till this date, this Tribunal pronounces the following:-

ORDER

Heard both side. Records perused.

The petitioner has filed this petition for receive the additional counter. Further the petitioner has stated that now only came to know that the private policy only took by the R1 for commercial vehicle and thus he is force to file additional counter.

In counter by the respondent/petitioner side have specifically stated that the owner of the vehicle had altered the vehicle bearing Registration No. TN-06-D-755 in to private vehicle (L.M.V) and paid transfer fees to R.T.O, Chennai, south east and surrendered permit on 09.12.2013. Thus it is clear that the vehicle involved in the accident is now converted in to private vehicle. In such circumstances, the validity of policy and status of permit details are essential for proper adjudication of Main O.P. to determine the liability to pay compensation.

Further no prejudice will be caused to other side, if this petition is allowed. Hence this court is inclined to allow this petition.

In fine this petition is allowed and hereby ordered to receive additional counter. No cost.

Directly dictated to the steno-typist, directly typed by him, corrected in the computer and pronounced by me in the open court on this the *Wednesday*, 02nd day of April 2025.

**Motor Accident Claims Tribunal,
(Special Sub Judge – I)
Court of Small Causes Chennai.**

Petitioner side Witnesses & Exhibits : Nil

2nd Respondent side Witnesses and Exhibits: Nil

**Motor Accident Claims Tribunal,
(Special Sub Judge – I)
Court of Small Causes Chennai.**