



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-04-2026

CORAM

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

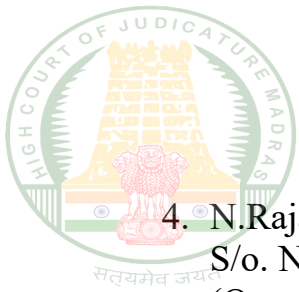
**CRP No. 2400 of 2026
and CMP.No.10284 of 2026**

K.Basker Alias Baskar
S/o. Karunagaran,
Res. at No. 489, Mel Kuppam Village,
Kuppam Post,
Polur Taluk,
Thiruvannamalai District-11.

..Petitioner(s)

Vs

1. United India Insurance Company Limited
Rep. by its Manager,
3rd Party Hub Office,
No.16, Thiru Vi Ka Nagar,
Chennai- Bangalore National Highways,
Rangapuram,
Vellore-9.
2. V.Vignesh
S/o. Velappan,
(Driver of the TVS Apache tow wheeler
bearing Reg. No.TN 25 AK 9936)
Res. at
No.89E, Irumbuli Kollaiedu,
Kalpattu,
Polur Taluk,
Thiruvannamali District.
3. Kasthuri
W/o. Velappan,
(Driver of the TVS Apache tow wheeler
bearing Reg. No.TN 25 AK 9936)
Res. at
No.89E, Irumbuli Kollaiedu,
Kalpattu,
Polur Taluk,
Thiruvannamali District.



4. N.Rajasekar

S/o. Natesan,

(Owner cum driver of the Hero Honda Passion
Pro tow wheeler bearing Regn No. TN 25 AB
2854),

Res. at No.470, Melkuppam Village and Post,
Polur Taluk,
Thiruvannamali District-903.

..Respondent(s)

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the order dated 08.01.2026 in IA No. 3 of 2025 in MCOP No. 102 of 2023 on the file of the Motor Accident Claims Tribunal/Chief Judicial Magistrate, Vellore.

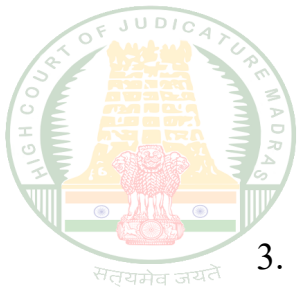
For Petitioner(s):

MR.A.G.F.Terry Chella Raja

ORDER

Aggrieved by the order passed by the Motor Accident Claims Tribunal/Chief Judicial Magistrate, Vellore in I.A. No.3 of 2025 in MCOP No. 102 of 2023 dated 08.01.2026, the claimant-1st respondent has preferred the present revision.

2. Before the trial Court, the fourth respondent filed an application seeking to strike out of the petitioner, contending that, being the insurer of a non-offending vehicle, it is not liable to pay any compensation. The trial Court allowed the said application. Aggrieved by the same, the claimant has filed the present revision.



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3. The learned counsel for the revision petitioner/claimant submits that the issue of negligence can be decided only at the conclusion of the trial and not at the threshold. Without considering this aspect, the trial Court erroneously struck out the respondents 3 and 4, which is legally unsustainable.

4. In view of the above, the revision is admitted. Issue notice to the respondents, returnable by 10.07.2026. Post the matter on 10.07.2026. There shall be a stay of further proceedings till then.

22-04-2026

MPA

To

1. The Motor Accident Claims Tribunal/Chief Judicial Magistrate, Vellore.
2. United India Insurance Company Limited
Rep. by its Manager,
3rd Party Hub Office,
No.16, Thiru Vi Ka Nagar,
Chennai- Bangalore National Highways,
Rangapuram,
Vellore-9.



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CRP No. 2400 of 2



T.V.THAMILSELVI, J.

MPA

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22-04-2026