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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2026

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THE HONOURABLE MR.JUSTICE P.B. BALAJI

**CRP.No.6063 of 2025
&CMP.No.29903 of 2025
& CRP.SR.No.178837 of 2025**

M/s.National Insurance Company Limited,
Vaniyambadi, having office at No.9,
Infantry Road, Near Alangar Theatre,
Vellore District.

Petitioner(s) in both CRPs

Vs

Firdose Begum

Respondent(s) in
CRP.No.6063 of 2025

Nijamhuddin

Respondent(s) in
CRP.SR.No.178837 of 2025

Prayer in CRP.No.6063 of 2025: Civil Revision Petition filed under Article 227 of Constitution of India, against the order in I.A.No.7 of 2025 in MCOP.No.43 of 2020 dated 21.08.2025, on the file of the Motor Accident Claims Tribunal, Subordinate Judge, Vaniyambadi.

Prayer in CRP.SR.No.178837 of 2025: Civil Revision Petition filed under Article 227 of Constitution of India, against the order in I.A.No.2 of 2025 in MCOP.No.41 of 2020 dated 21.08.2025, on the file of the Motor Accident Claims Tribunal, Subordinate Judge, Vaniyambadi.



For Petitioner(s): Mr.N.Vijayaraghavan

For Respondent(s): No appearance

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COMMON ORDER

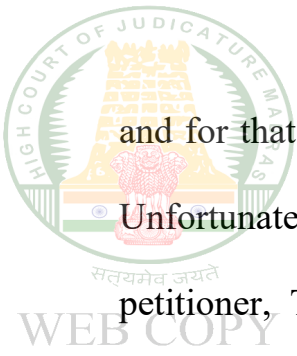
CRP.No.6063 of 2025 has been filed against the order in I.A.No.7 of 2025 in MCOP.No.43 of 2020, dated 21.08.2025, on the file of the Motor Accident Claims Tribunal, Subordinate Judge, Vaniyambadi.

2.I have heard Mr.N.Vijayaraghavan, learned counsel for the petitioner.

3.The Insurance Company, arrayed as 4th respondent in MCOP.No.43 of 2020, is the revision petitioner.

4.The petitioner sought to lead evidence and took out an application in I.A.No.7 of 2025. The said application has been dismissed by the Tribunal, holding that sufficient opportunity was given to the respondents to lead evidence and therefore, the petition is not maintainable. I am unable to countenance the findings rendered by the Tribunal on the ground that the petition is not maintainable.

5.The affidavit clearly states that on the said date, the deponent was appearing in another case involving with different accident case before the District Court, Vellore



and for that reason, he was not able to be present before the Tribunal to lead evidence.

Unfortunately, without noticing the satisfactory and sufficient reasons assigned by the petitioner, Tribunal has foreclosed the rights of the petitioner to lead evidence.

6.The learned counsel for the petitioner would bring to my notice that the claim is Rs.50 lakhs and the Insurance Company should be given a fair opportunity to lead evidence to enable the Tribunal to arrive at a fair and just compensation to the claimants. I find force in the submissions of the learned counsel for the petitioner. The Tribunal ought not to have adopted a hyper technical approach and clearly erred in holding that the petition was not maintainable.

7.In the light of the above, the order in I.A.No.7 of 2025 dated 21.08.2025 is set aside. The petitioner/4th respondent is entitled to lead evidence and evidence shall be recorded in common in MCOP.No.43 of 2020, as well as in M.C.O.P.No.41 of 2020. The evidence of the petitioner/4th respondent shall be commenced by 09.03.2026 and concluded by 30.03.2026. The prejudice caused to the claimants shall always be compensated by way of costs. Accordingly, the petitioner shall pay a cost of Rs.10,000/- to the claimants through counsel before the Tribunal, within a period of two weeks from the date of receipt of a copy of this order. Connected Civil Miscellaneous Petition is closed.



8. In view of the order passed, directing evidence to be let in common in MCOP.No.43 of 2020 and MCOP.No.41 of 2020, CRP.SR.No.178837 of 2025 is not pressed and the same is dismissed. No costs. Connected Civil Miscellaneous Petition is closed.

19.02.2026

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Neutral Citation Case : Yes / No

Speaking / Non-speaking order

Index : Yes/No

To

The Motor Accident Claims Tribunal, Subordinate Judge, Vaniyambadi.



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P.B. BALAJI.J.
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