



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-06-2026

CORAM

THE HON'BLE MR JUSTICE ABDUL QUDDHOSE

CRP No. 366 of 2026

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TATA AIG General Insurance Co. Ltd
2nd Floor,
Samson Towers,
No.403-L, Pantheon Road,
Egmore Chennai 600 008

..Petitioner(s)

Vs

1. Kamala Tanti
2. Ashit Tanti
3. Arjun Tanti (Minor)
(Rep. by their Mother)
4. Anita Tanti (Minor)
(Rep. by their Mother)
5. Niru Tanti
6. Samant Logistics
Shop No.9, Bhora Kalan,
Gurugaon,
Haryana-122413

..Respondent(s)

This Civil Revision Petition has been filed under Article 227 of the Constitution of India seeking to set aside the order dt. 25.09.2025 made in MP No.1 of 2025 in MCOP No.3191/2024 on the file of Chief Judge, Small Causes Court, Chennai and permit to issue summons to the Investigating Officer (IO) of Bagalur Police Station to let in oral evidence and bring the vehicle records of the lorry bearing Regd. No.HR-55-AK-4116 and other documents pertaining to Crime No.213/2023.



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For Petitioner(s): Mr.B.Siva Kollapan

For Respondent(s): Mr.R.Mohan Babu
For RR1 to R4

ORDER

This Civil Revision Petition (CRP) has been filed by the Insurance Company aggrieved by the impugned order dated 25.09.2025 passed in M.P.No.1 of 2025 in MCOP.No.3191 of 2024 on the file of Chief Judge, Small Causes Court, Chennai (Motor Accident Claims Tribunal).

2. Under the aforesaid order, the application filed by the petitioner seeking for issuance of Subpeona to the Investigating Officer, Bagalur Police Station, to let in oral evidence and to bring the vehicle records of the lorry bearing Registration No.HR-55-AK-4116, which is said to have been involved in the accident, has been dismissed. According to the Tribunal, if the petitioner genuinely requests the vehicle particulars and other documents, the same can be obtained by applying certified copies from the concerned authorities.

3. However, it is the contention of the petitioner that despite their best efforts, due to non-traceability of the insured, they are unable to apply for certified copies of the relevant documents from the concerned authorities, as full particulars are not available with them. The learned counsel for the petitioner would also submit before this Court that due to non-traceability of the vehicle

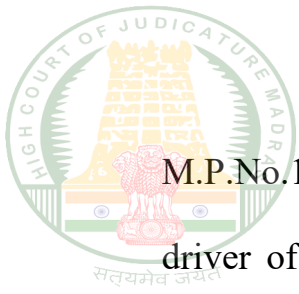


and the insured, there became a necessity for the petitioner to file M.P.No.1 of 2025 before the Tribunal. According to the petitioner, the application has been erroneously dismissed by the Tribunal.

4. The learned counsel for the respondents 1 to 4 would submit that the petitioner will have to collect the particulars sought for by them from the insured, and therefore, the Tribunal has rightly rejected their application. He would also submit that only during the investigation of agency appointed by the petitioner (Insurance Company), the details sought for through M.P.No.1 of 2025 will have to be obtained by the petitioner and not through an application seeking for issuance of Subpeona as prayed for in M.P.No.1 of 2025.

5. However, the learned counsel for the petitioner would submit that despite appointing an investigating agency, the particulars of vehicle and the other records relating to the said vehicle would not be obtained by the petitioner.

6. After giving due consideration to the submissions made by the respective counsels as well as the prayer sought for in M.P.No.1 of 2025, which has been dismissed by the Tribunal under the impugned order, this Court is of the considered view that no prejudice will be caused to any of the parties if the application seeking for issuance of Subpeona as prayed for by the petitioner in



M.P.No.1 of 2025 is allowed. According to the petitioner, the insured and the driver of the vehicle, who is alleged to have committed an accident, are not traceable. Therefore, this Court is of the considered view that the impugned order has to be set aside by this Court and this CRP will have to be allowed. The learned counsel for the respondents 1 to 4 would also submit that MCOP case is pending from 2024 onwards, due to the pendency of M.P.No.1 of 2025 and thereafter due to pendency of this CRP. Therefore, in the interest of the respondents/claimants, a direction will have to be issued to the Tribunal to dispose of M.P.No.1 of 2025 within a time frame to be fixed by this Court.

7. Accordingly, the impugned order dated 25.09.2025 passed in M.P.No.1 of 2025 in MCOP.No.3191 of 2024 on the file of Chief Judge, Small Causes Court, Chennai (Motor Accident Claims Tribunal) is set aside, and this Civil Revision Petition is allowed in the following manner:-

(a) The Tribunal is directed to issue summons to the Investigating Officer, Bagalur Police Station, to let in oral evidence and bring the vehicle records of the lorry bearing Registration No.HR-55-AK-4116, and other documents pertaining to Crime No.213 of 2023.

(b) The Tribunal is also directed to dispose of MCOP.No.3191 of 2024 within a period of six months from the date of receipt of a copy of this order.



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(c) Registry of Small Causes Court, Chennai, is also directed to list the matter before Chief Judge, Small Causes Court, Chennai (Motor Accidents Claims Tribunal), on 24.07.2026 for further directions with regard to issuance of Subpeona to Investigating Officer, Bagalur Police Station, as directed by this Court in this order.

No Costs. CMP.No.2104 of 2026 is closed.

22-06-2026

Neutral Citation: Yes/No
RKM

To
Chief Judge, Small Causes Court, Chennai
(Motor Accidents Claims Tribunal)



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ABDUL QUDDHOSE, J.

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