

**Devi V vs Rajesh Babu K**

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**SooperKanoon Citation :** [sooperkanoon.com/1318023](https://sooperkanoon.com/1318023)

**Court :** Kerala

**Decided On :** Apr-02-2024

**Judge :** Honourable Mr.Justice N.Nagaresh

**Appeal No. :** OP (MAC)/29/2024

**Appellant :** DEVI V

**Respondent :** Rajesh Babu K

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE N.NAGARESH  
TUESDAY, THE 2ND DAY OF APRIL 2024 / 13TH CHAITHRA, 1946 OP  
(MAC) NO. 29 OF 2024 AGAINST THE ORDER/JUDGMENT DATED IN  
OPMV NO.72 OF 2019 OF ADDITIONAL DISTRICT COURT &  
SESSIONS COURT - V, PALAKKAD / IV ADDITIONAL MACT,  
PALAKKAD PETITIONERS/1ST PETITIONER: 1 DEVI V AGED 61  
YEARS W/O VELUNNI K, 13/242, RAYARKALAM HOUSE,  
PALAPPALLAM, CHITTUR P O, CHITTUR COURTS, PALAKKAD  
DISTRICT-, PIN - 678101 2 SRUTHI MOL V AGED 34 YEARS D/O  
VELUNNI K, RAYARKALAM HOUSE, PALAPPALLAM, 3 SUDHEESH V  
AGED 31 YEARS S/O VELUNNI K, RAYARKALAM HOUSE,

PALAPPALLAM, 4 SUNEESH V AGED 28 YEARS S/O VELUNNI K, RAYARKALAM HOUSE, PALAPPALLAM, BY ADV BABY MATHEW RESPONDENTS/1ST RESPONDENT: 1 RAJESH BABU K AGED 47 YEARS S/O KRISHNANKUTTY, PUTHILATH HOUSE, VILAKKANAMKODE, PATTANCHERY POST, CHITTUR, PALAKKAD DISTRICT-, PIN - 678532 :2: 2 NEW INDIA ASSURANCE COMPANY LTD REP BY ITS BRANCH MANAGER, SRI VALLI BUILDING COMPLEX, ANICODE JUNCTION, CHITTUR, PALAKKAD DISTRICT-678532, COMMUNICATION ADDRESS NEW INDIA ASSURANCE CO LTD, N S TOWER, NEAR STADIUM BUS STAND, COIMBATORE ROAD, PALAKKAD-, PIN - 678013 SRI.LAL K.JOSEPH, SC - R2 THIS OP (MAC) HAVING COME UP FOR ADMISSION ON 02.04.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING: :3:

## JUDGMENT

Dated this the 2nd day of April, 2024 The OP(MAC) has been filed by the petitioners, who are claimants in OP(MV) No.72/2019, seeking a direction to the IVth Additional Motor Accident Claims Tribunal, Palakkad to dispose of OP(MV) No.72/2019 within a reasonable time. The petitioners' case is that the accident in question resulted in the death of Mr.Velunny, who was one and the only earning member of the family. The untimely death of Mr.Velunny and inordinate delay in disposing the Claim Petition have caused serious financial problems to the petitioners. It is in these circumstances that the petitioners seek an earliest disposal of OP(MV) filed by them.

2. I have heard the counsel for the petitioners and the Standing Counsel for the insurance company.

3. Taking into consideration the entire facts and

circumstances of the case, I am of the view that the Tribunal shall try to expeditiously dispose of the matter within a reasonable time. :4: The OP(MAC) is therefore disposed of directing the IVth Additional Motor Accident Claims Tribunal, Palakkad to hear and finally dispose of OP(MV) No.72/2019 within a period of one

month from 23.04.2024. Sd/- N.NAGARESH JUDGE bng :5: APPENDIX OF OP (MAC) 29/2024 PETITIONER EXHIBITS EXHIBIT P1 A TRUE COPY OF THE CLAIM PETITION IN O P (MV) NO 72/2019 ON THE FILES OF THE 4TH ADDL MAC TRIBUNAL, PALAKKAD

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