HIGH COURT FOR THE STATE OF TELANGANA

CIVIL REVISION PETITION Nos.2457, 2465, 2467 and 2479 of 2026

Between :

Mittapally Lakshmi Shyamala D/o. Late Kishore Kumar
Age: 19 years, Occ: Student,
R/o.Gandhi Chowl, Wyra town & Mandal,
Khammam District and another

...Petitioners in C.R.P.No.2457 of 2026

Mittapally Lakshmi Shyamala D/o. Late Kishore Kumar
Age: 20 years, Occ: Student,
R/o.Gandhi Chowl, Wyra town & Mandal,
Khammam District and three others

...Petitioners in C.R.P.No.2465 of 2026

Mittapally Lakshmi Shyamala D/o. Late Kishore Kumar
Age: 19 years, Occ: Student,
R/o.Gandhi Chowl, Wyra town & Mandal,
Khammam District

...Petitioner in C.R.P.No.2467 of 2026

Mittapally Hyndavi D/o. Late Kishore Kumar
Age: 16 years, Occ: Student, being minor rep. by her sister
Mittapallay Lakshmi Shyamala, D/o. Late Kishore Kumar
Age: 20 years, Occ: Student
R/o.Gandhi Chowl, Wyra town & Mandal,
Khammam District

...Petitioner in C.R.P.No.2479 of 2026

VERSUS

The Oriental Insurance Company Ltd.,
Rep. by its Divisional Manager, Divisional Office,
H.No.1-7-43/4/A, 2nd Floor,
Krishna Kuteer beside Forest Office and four others

...Respondents

DATE OF ORDER PRONOUNCED: 17.11.2026

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

1.	Whether Reporters of Local newspapers may be allowed to see the Judgments?	Yes/No
2.	Whether the copies of judgment may be marked to Law Reporters/Journals?	Yes/No
3.	Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment?	Yes/No

_____

J. SREENIVAS RAO, J

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

+ CIVIL REVISION PETITION Nos.2457, 2465, 2467 and 2479 of 2026

% Dated 17.11.2026

Mittapally Lakshmi Shyamala D/o. Late Kishore Kumar
Age: 19 years, Occ: Student,
R/o.Gandhi Chowl, Wyra town & Mandal,
Khammam District and another
...Petitioners in C.R.P.No.2457 of 2026

Mittapally Lakshmi Shyamala D/o. Late Kishore Kumar
Age: 20 years, Occ: Student,
R/o.Gandhi Chowl, Wyra town & Mandal,
Khammam District and three others
...Petitioners in C.R.P.No.2465 of 2026

Mittapally Lakshmi Shyamala D/o. Late Kishore Kumar
Age: 19 years, Occ: Student,
R/o.Gandhi Chowl, Wyra town & Mandal,
Khammam District
...Petitioner in C.R.P.No.2467 of 2026

Mittapally Hyndavi D/o. Late Kishore Kumar
Age: 16 years, Occ: Student, being minor rep. by her sister
Mittapallay Lakshmi Shyamala, D/o. Late Kishore Kumar
Age: 20 years, Occ: Student
R/o.Gandhi Chowl, Wyra town & Mandal, Khammam District
...Petitioner in C.R.P.No.2479 of 2026

VERSUS

$ The Oriental Insurance Company Ltd.,
Rep. by its Divisional Manager, Divisional Office,
H.No.1-7-43/4/A, 2nd Floor,
Krishna Kuteer beside Forest Office and four others
... Respondents

! Counsel for Petitioners : Mrs. N.V.R. Rajya Lakshmi

^ Counsel for Respondent No.5 : Mr. A. Rama Krishna Reddy

< GIST:

> HEAD NOTE:

? CITATIONS:

1. (2019) 15 SCC 628
2. 2026 LawSuit (SC) 1217
3. (2009) 10 SCC 84

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THE HONOURABLE SRI JUSTICE J. SREENIVAS RAO

CIVIL REVISION PETITION Nos.2457, 2465, 2467 and 2479 of 2026
(CNR Nos. HBHC010264912026, HBHC010265362026, HBHC010265342026 and HBHC010265142026)

Date:17.11.2026

Reserved on: 13.11.2026 **Pronounced on : 17.11.2026**
Uploaded on : 17.11.2026

Between:

Mittapally Lakshmi Shyamala and another
...Petitioners in C.R.P.No.2457 of 2026

Mittapally Lakshmi Shyamala and three others
...Petitioners in C.R.P.No.2465 of 2026

Mittapally Lakshmi Shyamala
...Petitioner in C.R.P.No.2467 of 2026

Mittapally Hyndavi
...Petitioner in C.R.P.No.2479 of 2026

And

The Oriental Insurance Company Limited and four others
...Respondents

: COMMON ORDER :

Civil Revision Petition Nos.2457, 2465, 2467 and 2479 of 2026 have been filed under Article 227 of the Constitution of India, aggrieved by the orders, dated 03.03.2026, passed by the Motor Accident Claims

Tribunal-cum-Principal District Judge at Mahabubabad, (for short, 'the learned trial Court'), whereby I.A.No.793 of 2024 in M.V.O.P.No.25 of 2021, I.A.No.792 of 2024 in M.V.O.P.No.105 of 2020, I.A.No.790 of 2024 in M.V.O.P.No.48 of 2020 and I.A.No.791 of 2024 in M.V.O.P.No.47 of 2020 filed by the petitioners/claimants sought amendment of their respective claim petitions, were dismissed.

1.2. The issue involved in these civil revision petitions is one and the same. Hence, all these civil revision petitions are clubbed together and being disposed of by way of a common order.

2. **Brief facts of the case**:

2.1. The petitioners in C.R.P.No.2457 of 2026 filed M.V.O.P.No.25 of 2021 claiming compensation of Rs.15,00,000/- on account of the death of Mittapalli Laxmi Tripura Sundari; the petitioners in C.R.P.No.2465 of 2026 filed M.V.O.P.No.105 of 2020 claiming compensation of Rs.2,13,56,520/- on account of the death of Mittapalli Kishore Kumar; the petitioner in C.R.P.No.2467 of 2026 filed M.V.O.P.No.48 of 2020 claiming compensation of Rs.3,00,000/- for the injuries sustained by her; and the petitioner in C.R.P.No.2479 of 2026 filed M.V.O.P.No.47 of 2020 seeking compensation of Rs.3,00,000/- for the injuries sustained by her.

2.2. The case of the petitioners, as pleaded in their respective claim petitions, is that the injured petitioners/claimants, along with their

deceased father and mother, were travelling in a Maruthi Wagnor Car bearing No.MH-27-AR-3129 from Mangulur to Shirdi Sai Baba Mandir at Maharashtra. On 21.05.2018, in the morning hours, they started their journey from Shirdi to Mangulur. On the next day, i.e., on 22.05.2018, at about 05.00 hours, when they reached Bargi, Uttara Kannada, Karnataka, the driver of the car drove the vehicle in a rash and negligent manner, lost control over it and dashed against the road divider situated in the middle of the road. Thereafter, the driver lost control over the vehicle, as a result of which, the car dashed against another car i.e., Mahindra Xylo Car bearing No.KA-19-MB-1019. Consequently, the petitioners in C.R.P.Nos.2467 and 2479 of 2026 sustained injuries and their parents died in the said accident.

2.3. Subsequently, the petitioners filed the aforesaid interlocutory applications seeking amendment of their respective claim petitions, stating that at the time of institution of the claim petitions, they could not properly explain the manner in which the accident had occurred to their counsel. They further stated that, subsequently, they came to know that the accident occurred due to rash and negligent driving of driver-respondent No.4 of Mahindra Xylo Car. According to them, when the injured petitioners, along with their parents, reached Burghi, Utthara Kannada, Karnataka State at Kurjadhi Gadda cross, a Mahendra Xylo car bearing N.KA 19 MB 1019 was coming in the opposite direction on the wrong side of the road in a rash and negligent

manner. To avoid the accident, their driver was took a right turn, hit the divider and spontaneously turned left and hit the Mahendra Xylo car. Therefore, the particulars relating to the involvement of the Mahendra Xylo car and the manner in which the accident occurred were necessary for proper adjudication of the claim petitions. Accordingly, they would amendment of their respective claim petitions to incorporate the said facts.

2.4. The learned Principal District Judge, upon considering the pleadings and the submissions made on behalf of the petitioners as well as respondent No.5, dismissed the aforesaid interlocutory applications. Aggrieved by the said orders, the petitioners have preferred the present civil revision petitions before this Court.

3. Heard Mrs. N.V.R. Rajya Lakshmi, learned counsel for the petitioners, and Mr. A. Rama Krishna Reddy, learned counsel for respondent No.5.

4. Submissions of learned counsel for the petitioners:

4.1. Learned counsel for the petitioners submitted that the petitioners had filed applications seeking amendment of the claim petitions on the ground that the accident occurred on 22.05.2018 due to the rash and negligent driving of the driver of the Mahindra Xylo car, which came from the opposite direction on the wrong side of the road and to avoid the accident, the driver of the Maruthi Wagonr Car took a sudden right

turn, hit the divider and thereafter hit the Mahendra Xylo car. Due to the said incident, petitioner No.3 in C.R.P.No.2465 of 2026 lost his son and daughter-in-law and his grandchildren sustained injuries. Therefore, he could not give proper instructions to his counsel that the accident was occurred due to the rash and negligent driving of the Mahendra Xylo car and that he only mentioned that the accident was occurred due to the rash and negligent driving of the driver of Maruthi Wagnor car. Both the vehicles were involved in the said incident.

4.2. Learned counsel further submitted that respondent No.4 is the owner and driver of the Mahendra Xylo car and respondent No.5 is its insurer and that both of them had already impleaded as party respondents to the claim petitions. By virtue of the proposed amendment, no prejudice would be caused to respondent Nos.4 and 5. However, the trial Court, without properly appreciating the contentions raised by the petitioners, erroneously dismissed the applications merely on the ground that the matter had already reached the stage of cross-examination of RW.2 and that the petitioners had filed the applications seeking amendment of the pleadings and created a new story. The reasons assigned by the learned counsel for the petitioners are contrary to the material on record.

4.3. Learned counsel also submitted that the proposed amendment is very much necessary for adjudication of the M.V.O.Ps. and as per the provisions of Order VI Rule 17 of the C.P.C., at any stage of the

proceedings, either of the parties may alter or amend the pleadings. Hence, the impugned orders passed by the learned trial Court are liable to be set aside.

4.4. In support of the above said contentions, learned counsel relied upon the following judgments of the Hon'ble Supreme Court:

1. **Varun Pahwa v. Renu Chaudhary**[1]; and
2. **Haramani Sahoo and others v. Lalita Nayak and others**[2].

5. Submissions of learned counsel for respondent No.5:

5.1. *Per contra,* learned counsel for respondent No.5 submitted that the specific case of the petitioners in the claim petitions is that the alleged accident occurred due to the rash and negligent driving of the driver of Maruthi Wagnor Car. He further submitted that pursuant to the accident, F.I.R.No.49 of 2018 was registered and the Investigating Officer filed a final report stating that the alleged accident had occurred due to the rash and negligent driving of the driver of Maruthi Wagnor Car bearing No.MH-27-AR-3129.

5.2. He further submitted that when the M.V.O.Ps. are posted for the cross-examination of RW.2, the petitioners filed the present applications seeking amendment of the claim petitions by introducing a new plea that accident had not occurred only due to the rash and negligent driving of the driver of the Maruthi Wagnor car, but the

[1] (2019) 15 SCC 628
[2] 2026 LawSuit (SC) 1217

accident had occurred due to the rash and negligent driving of the driver of the Mahindra Xylo car i.e., respondent No.4, and the same is not permitted under law.

5.3. He further submitted that once the trial had commenced, the parties could not seek amendment of the pleadings, without satisfying the mandatory requirements stipulated under the proviso of Order VI rule 17 of the C.P.C. The learned trial Court had rightly dismissed the applications by giving cogent reasons.

5.4. In support of his contention, he relied upon the judgment of the Hon'ble Supreme Court in **Revajeetu Builders and Developers v. Narayanaswamy and sons and others**[3].

Analysis

6. Having considered the rival submissions made by the respective parties and upon perusal of the material available on record, it clearly reveals that the petitioners initially filed M.V.O.Ps. claiming compensation against respondent No.1 and subsequently, respondent Nos.2 to 5 were impleaded as party respondents. In the said M.V.O.Ps., the specific case of the petitioners was that the accident occurred due to the rash and negligent driving of the driver of the Maruthi Wagnor Car bearing No.MH-27-AR-3129. As a result, the son and daughter-in-

[3] (2009) 10 SCC 84

law of petitioner No.3 lost their lives and his granddaughters sustained injuries.

7. The record reveals that F.I.R.No.49 of 2018 was registered at Gokarna Police Station, Uttara Kannada District, on the complaint lodged by respondent No.4 for the offences under Sections 279, 337, 338 and 304-A of the IPC and the Investigating Officer filed a final report against the driver of Maruthi Wagnor Car only and the said document was marked as Ex.A.4. When the matter had reached the stage of cross-examination of RW.2, the petitioners filed Interlocutory Applications invoking the provision of Order VI Rule 17 of the C.P.C. seeking amendment of the claim petitions by introducing a new plea that the accident had not occurred due to the rash and negligent driving of the driver of the Maruthi Wagnor Car bearing No.MH-27-AR-3129, but the accident had occurred due to rash and negligent driving of respondent No.4, who was allegedly proceeding in the wrong and opposite direction and when the driver of the Maruthi Wagnor Car is trying to escape from the accident and to save the lives of the passengers inside the car, he took a right turn, due to which he hit the divider and car turned left and hit Mahindra Xylo Car and the persons inside the car were seriously injured and two of them died.

8. It is relevant to mention that the specific case of the petitioners in the claim petitions is that the alleged accident occurred due to the rash and negligent driving of the driver of the Maruthi Wagnor Car.

However, when the matter had reached the stage of cross-examination of RW.2, the petitioners filed the present applications seeking amendment of the claim petitions. By virtue of the proposed amendments, the character of the claim petitions would be changed. The trial Court, upon proper appreciation of the pleadings and the material available on record, rightly came to the conclusion that the petitioners are introducing a new case and the proposed amendment is not permissible under law.

9. In **Varun Pahwa** (supra), the Hon'ble Apex Court held that amendment of the pleadings cannot be refused merely because of some mistake, negligence, in advertenance or even infraction of the rules of procedure. The Court always gives leave to amend the pleadings even if a party is negligent or careless as the power to grant amendment of the pleadings is intended to serve the ends of justice and is not governed by any such narrow or technical limitations.

10. In **Haramani Sahoo** (supra), the Hon'ble Supreme Court held that Order VI Rule 17 of the CPC confers a discretionary power upon the Court to permit amendments which are necessary for determining the real questions in controversy between the parties.

11. The said judgments relied upon by the learned counsel for the petitioners are not applicable to the facts and circumstances of the present case, for the reason that the petitioners are not seeking to

rectify any inadvertent mistake, clerical error or procedural irregularity in the original claim petitions. On the contrary, the petitioners are seeking to introduce an entirely new and different version of the accident by shifting the allegation of rash and negligent driving from the driver of the Maruthi Wagonr Car to respondent No.4 and by introducing a new sequence of events as to how the accident had allegedly occurred.

12. In **Revajeetu Builders** (*supra*), the Hon'ble Supreme Court, while considering the scope and ambit of Order VI Rule 17 C.P.C, laid down certain guiding principles to be taken into consideration while allowing or rejecting applications for amendment of pleadings. The Hon'ble Supreme Court categorically observed that the Court must examine whether the proposed amendment is imperative for proper and effective adjudication of the case, whether the application is bona fide or mala fide, whether the amendment causes prejudice to the opposite party, and more particularly, whether the proposed amendment fundamentally changes the nature and character of the case.

13. Applying the aforesaid principles to the facts of the present case, it is evident that the proposed amendments are not merely intended to clarify or explain the existing pleadings. On the contrary, the petitioners are seeking to introduce an entirely different version of the accident by shifting the allegation of rash and negligent driving from the driver of the Maruthi Wagonr Car to respondent No.4 and by

introducing a new sequence of events concerning the manner in which the accident occurred.

14. For the foregoing reasons, this Court do not find any ground to interfere with the impugned orders, dated 03.03.2026, passed by the learned trial Court in I.A.Nos.793, 792, 790 and 791 of 2024 to invoke the jurisdiction of this Court under Article 227 of the Constitution of India.

15. Accordingly, all the Civil Revision Petitions are dismissed. No order as to costs.

Miscellaneous application pending, if any, shall stand closed.

J.SREENIVAS RAO, J

Date: 17.11.2026
Note: L.R. Copy to be marked
mar