

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR.JUSTICE P.BHAVADASAN

THURSDAY, THE 26TH DAY OF MARCH 2015/5TH CHAITHRA, 1937

Tr.P(C).No.654 of 2014

OP(MV) NO.1884/2012 OF THE 7TH ADDITIONAL DISTRICT COURT,ERNAKULAM

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PETITIONERS:

- 1. MUNNI BEGUM,W/O.LATE S.K.JAHANGIR,AGED 55 YEARS,
10/4D,TITJALA,SHIBTALA LANE,POLICE STATION,
KARAYA,KOLKATA 700 039.**
- 2. S.K.BABAR,S/O.LATE S.K.JAHANGIR,AGED 26 YEARS
10/4D,TITJALA,SHIBTALA LANE,POLICE STATION,
KARAYA,KOLKATA-700 039.**
- 3. TABASSUM ARA,D/O.LATE S.K.JAHANGIR,AGED 26 YEARS,
10/4D,TITJALA,SHIBTALA LANE,POLICE STATION,
KARAYA,KOLKATA-700 039.**

**BY ADVS.SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.PRATHAP PILLAI
SRI.SEBIN THOMAS
SRI.VIVEK V.KANNANKERI**

RESPONDENTS:

- 1. KERALA STATE ROAD TRANSPORT CORPORATION,
(KSRTC),REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN,FORT,THIRUVANANTHAPURAM,
(REGISTERED OWNER OF BUS NO.KL-15/4191)**
- 2. T.P.VINU,S/O.PRABHAKARAN,THAIPARAMBIL VEEDU,
SYED MOHAMMED ROAD,KUZHUPPILLY DESOM,
EDAVANAKADU VILLAGE,KOCHI TALUK,
ERNAKULAM DISTRICT,(DRIVER OF BUS NO.KL-15/4191)**
- 3. SHAHZAD KHAN,AGED 26 YEARS,
S/O.M.D.NIZAMUDHIN KHAN,58/96-84,
KAMATH LANE,T.D ROAD,ERNAKULAM,COCHIN-35**

**R1 BY SRI.M.GOPIKRISHNAN NAMBIAR,SC,KSRTC
R3 BY ADV.SRI.C.U.SANGEETH
BY SRI.A.MOHAMMED SAVAD**

**THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 26-03-2015, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

Tr.P(C).No.654 of 2014

APPENDIX

PETITIONER'S ANNEXURES:

**ANNEXURE I:TRUE COPY OF THE O.P.(MV)NO.1884/2012 FILED BEFORE THE
MACT,ERNAKULAM.**

**ANNEXURE II:TRUE COPY OF THE O.P.(MV) NO.1887/2012 FILED BEFORE THE
MACT,ERNAKULAM.**

RESPONDENT'S ANNEXURES:

NIL

//TRUE COPY//

P.S. TO JUDGE

pk

P.BHAVADASAN, J.

Tr.P.(C) No. 654 of 2014

Dated this the 26th day of March, 2015

ORDER

This is a petition filed under Section 24 of the C.P.C. seeking to have O.P.(MV) No. 1884/2012 pending before the 7th Additional District Court, Ernakulam transferred to 8th Additional District Court, Ernakulam for trial and disposal.

2. In respect of an accident, there are two claims; one is O.P.(MV)No. 1884/2012 pending before the 7th Additional District Court, Ernakulam and the other is in the 8th Additional District Court, Ernakulam.

3. The petitioner says that since common issues arise for consideration, it is only appropriate that both the cases be disposed of by the same court in order to avoid conflict of decision.

4. After having heard the learned counsel on both sides, it is felt that there is some substance in the allegations raised by the petitioner and it is only proper that

both the cases are tried by the same court.

In the result, this petition is allowed and O.P.(MV) No. 1884/2012 pending before the 7th Additional District Court, Ernakulam shall stand transferred to 8th Additional District Court, Ernakulam.

Sd/-
P.BHAVADASAN
JUDGE

ds

//True copy//

P.A. to Judge