

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.03.2015

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

TRANSFER C.M.P. No. 629 of 2014

United India Insurance Company Limited,
rep. By its Manager,
MTPC HUB, Regional Office,
No.134, Greams Road,
Chennai - 600 006.

..Petitioner

Vs.

1. Malathy
2. Kaliyamoorthy
3. Minor Avinesh
4. Putlaye
4th respondent is the N/F and
guardian of 3rd respondent.

..Respondents

Prayer: Petition to withdraw M.C.O.P. No. 107 of 2012 pending on the file of Principal District & Sessions Judge, Villupuram and transfer the same to the file of Chief Judge, Court of Small Causes, Chennai to be tried along with M.C.O.P. No. 4377 of 2012.

For Petitioner :: Mr.S. Udayakumar

For Respondents:: Mr.B. Karthikeyan for R1
Mr.K. Varadhakamaraj for R3 & R4

सत्यमेव जयते
O R D E R

The above transfer C.M.P. is filed by the Insurance Company seeking transfer of M.C.O.P. No. 107 of 2012 pending on the file of Principal District & Sessions Judge, Villupuram, to the file of Chief Judge, Court of Small Causes, Chennai to be tried along with M.C.O.P. No. 4377 of 2012.

2. Claiming compensation for the death of one Arumugam, his mother, the 4th respondent herein, filed M.C.O.P. No. 4377 of 2012 before the Court of Small Causes, Chennai, and the 1st respondent herein, who alleges to have lived with the deceased, filed M.C.O.P. No. 107 of 2012 before the Principal District and Sessions Court,

Villupuram. Now, the case pending before the Principal District and Sessions Court, Villupuram, at the instance of the 1st respondent, is sought to be transferred to the Court of Small Causes, Chennai, to be tried along with M.C.O.P. No. 4377 of 2012, filed by the mother of the deceased.

3. Since the claims relate to the death of the same person, it is appropriate to withdraw M.C.O.P. No. 107 of 2012 pending on the file of Principal District and Sessions Judge, Villupuram, and transfer the same to the file of Chief Judge, Court of Small Causes, Chennai, to be tried along with M.C.O.P. No. 4377 of 2012. The learned Chief Judge, Court of Small Causes, Chennai, is directed to dispose of the matters, within a period of three months from the date of receipt of a copy of this order. The transfer C.M.P. is ordered accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nv

To

1. The Prl. Dist & Sessions Judge, Villupuram
2. The Chief Judge, Court of Small Causes, Chennai.

+ 1 cc to Mr.K. Varadhakamaraj, Advocate SR.15572
+ 1 cc to Mr.S. Udhayakumar, Advocate SR.15830

KK(CO)
EU 15.04.2015

Tr.C.M.P. No. 629 of 2014

सत्यमेव जयते

WEB COPY