

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Transfer Civil Miscellaneous Petition No.225 of 2016
and
C.M.P.No.6401 of 2016

1.Elaveneil Mullai
W/o.Pushparaj

2.Minor Kishore
S/o.Pushparaj

3.Minor Vishnuraj
S/o.Pushparaj

Minors represented by their mother
and next friend Elaveneil Mullai ... Petitioners

vs

1.G.Sakthi
W/o.Gnanavel

2.R.Gnanavel
S/o.Ramasamy

3.Minor Chandralekha
D/o.Gnanavel

4.Minor Soundarya
D/o.Gnanavel

Minors represented by their mother
and next friend G.Sakthi

5.K.Govindammal
W/o.Kesavan

6.Tata AIG General Insurance Company Limited,
Chennai.

... Respondents

Transfer Civil Miscellaneous Petition filed under Section 24
of the Civil Procedure Code, 1906, praying to withdraw
M.C.O.P.No.3444 of 2013 on the file of Motor Accident Claims
Tribunal, Principal District Judge, Cuddalore and transfer the

same to the Motor Accident Claims Tribunal, Principal District Judge, Pondicherry.

For Petitioners:Mr.T.Ananthasekar

For Respondents:Mr.R.Sreedhar [R1 to R4]
No appearance [R5 & R6]

O R D E R

Petitioners have filed the present petition seeking transfer of M.C.O.P.No.3444 of 2013 on the file of Motor Accident Claims Tribunal, Principal District Judge, Cuddalore, to the file of Motor Accident Claims Tribunal, Principal District Judge, Pondicherry.

2. Petitioners are wife and children of one Pushparaj, who met his death in an accident which took place at about 11.20 p.m. on 23.04.2013. Petitioners have filed M.C.O.P.No.708 of 2013 on the file of Motor Accident Claims Tribunal, Principal District Judge, Pondicherry, seeking compensation. While so, the parents of the said Pushparaj have also filed M.C.O.P.No.3444 of 2013 on the file of Motor Accident Claims Tribunal, Principal District Judge, Cuddalore, seeking compensation.

3. Submitting that the first petitioner has no independent income, that she has to take care of her children and that though the parents of the deceased are resident of Pondicherry, they have filed claim petition before the Principal District Judge, Cuddalore, learned counsel for petitioners prays for transfer.

4. Learned counsel for respondents 1 to 4 objects to transfer.

5. Considering the submissions made, this Court is of the view that interests of justice would be met if both the matters are tried together. Accordingly, this Court directs transfer of M.C.O.P.No.3444 of 2013 on the file of Motor Accident Claims Tribunal, Principal District Judge, Cuddalore, to the file of Motor Accident Claims Tribunal, Principal District Judge, Pondicherry, to be tried along with M.C.O.P.No.708 of 2013.

The Transfer Civil Miscellaneous Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1.The Motor Accident Claims Tribunal,
Principal District Judge,
Cuddalore.

2.The Motor Accident Claims Tribunal,
Principal District Judge,
Pondicherry.

+1cc to Mr.T.Ananthasekar, Advocate, S.R.No.35342

+1cc to Mr.R.Sridhar, Advocate, S.R.No.35447

Transfer Civil Miscellaneous Petition No.225 of 2016

rv[co]
srg 18/07/2016

सत्यमेव जयते

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