

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

TR CMP NO.418 OF 2016

AND CMP NO.11028 OF 2016

S.Sarfooni

... Petitioner

versus

1.B.Sivaji Rao

2.Iffco-Tokio General Insurance Company Ltd.,
Iffco Bhavan
No.128, Habibulla Road,
T. Nagar, Chennai - 600 017.

... Respondents

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure with a prayer to withdraw M.C.O.P.No.1045 of 2011 on the file of Motor Accident Claims Tribunal, II Additional District Court Judge, Poonamallee and transfer the same to the file of Motor Accident Claims Tribunal, Chief Small Causes Court, Chennai for disposal.

For Petitioner : Mr.K.Varadha Kamaraj

For Respondent-1 : No appearance

For Respondent-2 : Mr.C.R.Krishnamoorthy

O R D E R

The petitioner filed MCOP No.1045 of 2011 before the Motor Accident Claims Tribunal / II Additional District Court at Poonamallee. The Insurance Company appears to have taken up a contention with regard to the jurisdiction. The petitioner, therefore, filed this petition for transfer of proceedings to a Court at Chennai.

2. Heard the learned counsel for the petitioner and the learned counsel for the second respondent. None appears on behalf of the first respondent.

3. The learned counsel for the second respondent submitted that the second respondent has no objection in transferring the proceedings to a Court at Chennai.

4. The petitioner is a resident of Karaiyanchavadi, Chennai. The petition now seeks transfer of proceedings from Motor Accident Claims Tribunal / II Additional District Court at Poonamallee to Chennai. I am therefore of the view that the transfer petition deserves to be allowed.

5. The proceedings in MCOP No.1045 of 2011 is withdrawn from the file of Motor Accident Claims Tribunal / II Additional District Court, Poonamallee and is transferred to the file of Motor Accident Claims Tribunal cum Small Causes Court at Chennai, for disposal on merits.

6. The Transfer Civil Miscellaneous is allowed as indicated above. No costs. Consequently, connected civil miscellaneous petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

TK

To

1.The Motor Accident Claims Tribunal /
II Additional District Court
Poonamallee.

2.The Motor Accident Claims Tribunal
cum Small Causes Court
Chennai.

+1 cc to M/s.K.Varatha Kamaraj Advocate sr 63032

+1 cc to Mr.C.R.Krishnamoorthy Advocate sr 62914

kgk(co)
aa30/11/2016