



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2016

Coram:

WEB COPY

THE HONOURABLE MR.JUSTICE **K.KALYANASUNDARAM**

Tr.C.M.P.(MD).Nos.328 to 330 of 2016 and
Tr.C.M.P.(MD) Nos.342 to 344 of 2016
and C.M.P.No.6231 of 2016 and
C.M.P.Nos.6232,6233 and 6446 TO 6448/2016

In Tr.C.M.P.(MD) No. 328 of 2016:

The Manager,
Cholamandalam M.S.General Insurance Co., Ltd.,
N.S.C.Bose Road,
Chennai 600 001.

.. Petitioner
in all the Petitions

Vs.

1.Mercy
2.Manivasagan

.. Respondents
in TR CMP 328/16

1. Annakodi
2. Manivasagan

...Respondents in TR CMP 329/16

1. Sabarinathan
2. Manivasagan

...Respondents in TR CMP 330/16

1 Minor Ashok Kumar
rep.by Mother and guardian
Annakodi

2 Manivasagan

...Respondents in TR CMP 342/16

1 R.Senguttuvan
2 Anjali
3 Manivasagam

4 The Managing Director,
M/s Tamilnadu State Transport
Corporation(Kum)Ltd.,
rep.by its General Manager
Periyamilaguparai, Trichy-620 001

...Respondents in TR CMP 343/16

1 The Managing Director,
M/s Tamilnadu State Transport
Corporation(Kum)Ltd.,
rep.by its General Manager
Periyamilaguparai, Trichy-620 001



2 Manivasagam

...Respondents in TR CMP 344/16

PRAYER in TR CMP(MD) Nos.328-330/2016 & 342/2016:

Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw the M.C.O.P.No.956 of 2014,958,957,959/2014 pending on the file of Motor Accident Claims Tribunal (Principal Sub Court), Thanjavur and transfer the same for joint trial along with batch of cases on the file of Motor Accident Claims Tribunal, Ariyalur respectively.

Prayer in TR CMP(MD). 343/ 2016 :

Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw the MCOP No.73 of 2015 on the file of Motor Accident Claims Tribunal, (Sub Court), Kulithalai, and transfer the same for joint trial along with (batch of cases on the file of Motor Accident Claims Tribunal, Ariyalur.

Prayer in TR CMP(MD). 344/ 2016 :

Petition filed under Section 24 of the Code of Civil Procedure, praying to withdraw the MCOP No.1238 of 2015 on the file of Motor Accident Claims Tribunal, (Special Sub Court), Trichy and transfer the same for joint trial along with (batch of cases) on the file of Motor Accident Claims Tribunal, Ariyalur.

For Petitioner	: Mr.S.Srinivasa Raghavan
For Respondents	: No appearance
In TR CMP 328 to 330, 342 &343/16	: No appearance
For 1 st Respondent in TR CMP.344/16	: Mr.P.Prabhakaran
R2	: No Appearance

C O M M O N O R D E R

The Transfer Civil Miscellaneous Petitions have been filed for transfer of Original Petitions for joint trial along with batch of cases.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3. The learned counsel for the petitioner would submit that arising out of a single accident, 38 Claim Petitions have been filed and 12 cases filed before the Motor Accident Claims Tribunal, Perambalur have been transferred to Motor Accident Claims Tribunal, Ariyalur by the order of the Principal Bench of this Court dated 12.10.2015 in Tr.C.M.P.Nos. 694 to 705 of 2015 and hence, the present petitions also have to be transferred in the interest of justice and to avoid conflicting decisions.

4. I have gone through the order passed in Tr.C.M.P.Nos. 694 to 705 of 2015.



5. The learned counsel appearing for the respondent in Tr.C.M.P.No.344 of 2016 has no objection. In other Tr.C.M.P.s despite service of notice, there is no representation for the respondents to contest the petitions.

6. In view of the submissions made by the learned counsel for the petitioner, the learned Principal Sub Judge, Thanjavur is directed to transmit the entire records in M.C.O.P.No.956 of 2014, M.C.O.P.No.957 of 2014, M.C.O.P.No.958 of 2014 and 959 of 2014 to the file of the Motor Accident Claims Tribunal, Ariyalur. The learned Subordinate Judge, Kulithalai is directed to transmit the records in M.C.O.P.No.73 of 2015 to the file of the Motor Accident Claims Tribunal, Ariyalur. The learned Special Subordinate Judge, Trichy is directed to transmit the records in M.C.O.P.No.1238 of 2015 to the file of the Motor Accident Claims Tribunal Ariyalur. The said exercise shall be completed within a period of two weeks from the date of receipt of copy of this order. After obtaining the records on transfer, the Motor Accident Claims Tribunal, Ariyalur, is directed to dispose of the matters as expeditiously as possible.

7. In the result, the Transfer Civil Miscellaneous Petitions are allowed. No costs. Consequently, connected C.M.P.(MD) Nos.6231 to 6233 of 2016 and 6446 to 6448 are closed.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

CM

To

1. The Motor Accident Claims Tribunal (Principal Sub Court), Thanjavur
2. The Subordinate Judge, Kulithalai.
3. The Special Subordinate Judge, Trichy.
4. The Motor Accident Claims Tribunal, Ariyalur.

+1 cc to Mr.P.Prabhakaran ,Advocate, Sr.No: 43159

+1 cc to Mr.S.Srinivasa Raghavan,Advocate, Sr.No: 43110

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Tr.C.M.P. (MD) .Nos.328 to 330 of 2016 and
Tr.C.M.P. (MD) Nos.342 to 344 of 2016
and C.M.P.No.6231 of 2016 and
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