

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2017
CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.428 of 2017
and
C.M.P.No.8864 of 2017

1. Tmt.Rajalakshmi
2. Minor M.Vidhubala
3. Minor M.Harshitha

... Petitioners

Versus

1. The General Insurance Corporation of India,
Rep. by its Deputy General Manager,
36, State Cooperative Buildings,
Anna Salai, Chennai-600002.
2. Ramnivas
3. IFFCO-TOKYO General Insurance Company,
Rep. by its,
General Manager,
4th Floor, IFFCO Bhavan,
Habibullah Road,
T.Nagar, Chennai- 600 017

.... Respondents

Prayer: Petition filed under Section 24 of the Civil Procedure Code praying to withdraw M.A.C.O.P.No.94 of 2015, pending on the file of Sub Court, Uthamapalayam, Theni District and transfer the same to any of the Small Causes Court at High Court Buildings at Chennai and direct the respective Court to proceed further.

For Petitioner : Mr.K.Anbarasan
For Respondent : Mr.C.Krishnamurthy (R3)
No appearance (R1 and R2)

ORDER

This petition has been filed by the first petitioner/wife seeking to withdraw M.A.C.T.O.P.No.94 of 2015, on the file of Sub Court, Uthamapalayam, Theni District, filed for compensation, in respect of death of her husband in the road accident.

2. In the affidavit filed in support of this petition, it is stated by the petitioner that now she is living permanently in Chennai and has admitted her minor children in School at Chennai it would be difficult for her to attend court at to Uthamapalayam for each of the hearing. The respondents 1 and 3, who are Insurance Companies are also having office in Chennai.

3. The learned counsel appearing for the third respondent has no serious objection, for transfer of M.A.C.O.P.No.94 of 2015, pending on the file of Sub Court, Uthamapalayam, Theni District.

4. Considering the facts and circumstances of the case and the fact that the petitioner/wife, who is a widow and residing with minor child in Chennai, this Court, feels it appropriate to transfer withdraw M.A.C.O.P.No.94 of 2015, pending on the file of Sub Court, Uthamapalayam, Theni District and transfer the same to any of the Small Causes Court, Chennai.

5. Accordingly, the Transfer Civil Miscellaneous Petition is allowed and M.A.C.T.O.P.No.94 of 2015 pending on the file of Sub Court, Uthamapalayam is withdrawn and transferred to any of the Small Causes Court, Chennai. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Sub Court, Uthamapalayam,
Theni District
2. The Small Causes Court at High Court,
Chennai

+1cc to Mr.K.Anbarasan, Advocate, S.R.No.77527
+1cc to Mr.C.Krishnamurthy, Advocate, S.R.No.76829

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