

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2018

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

Tr.C.M.P.No.429 of 2017

and C.M.P.No.8865 of 2017

1. Rajalakshmi
 2. Minor M.Vidhubala
 3. Minor M.Haritha
- Petitioners 2 and 3 are represented
by her natural guardian mother /
next friend Tmt.Rajalakshmi ... Petitioners

Vs.

1. The General Insurance Corporation of India
Rep by its Deputy General Manager,
36, State Cooperative Buildings,
Anna Salai, Chennai 600 002.
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

Petitions filed under Section 24 of the Civil Procedure Code praying to withdraw the above M.A.C.O.P.No.95 of 2015 pending on the file of the 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 Petitioners : Mr.K.Anbarasan

For Respondent-3 : Mr.C.R.Krishnamoorthy

For Respondents 1 & 2 : Served-No Appearance

O R D E R

The transfer civil miscellaneous petition has been filed by wife and children of the deceased, namely, R.Muthukumaran seeking withdrawal of M.A.C.T.O.P.No.95 of 2015 from the file of the Sub Court, Uthamapalayam, Theni District, filed for compensation, in the road accident and to transfer the same to any of the Small Causes Court, Chennai.

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 hearing to Uthamapalayam for each of the hearing. The respondents 1 and 3, who are Insurance Companies are also having office in Chennai.

3. Heard the learned counsel for the petitioner and the learned counsel for the third respondent and perused the materials available on record.

4. In view of the similar order passed in connected Tr.C.M.P.No.428 of 2017 on 31.10.2017, this Court is inclined to transfer M.A.C.O.P.No.95 of 2015, pending on the file of Sub Court, Uthamapalayam, Theni District 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Miscellaneous Petition is allowed and M.A.C.T.O.P.No.95 of 2015 pending on the file of Sub Court, Uthamapalayam is withdrawn and transferred to any of the Small Causes Court, Chennai.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-V)

//True Copy//

Sub Assistant Registrar

srn

To

1. The Sub Court,
Uthamapalayam,
Theni District

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2. The Small Causes Court
at High Court, Chennai

+1cc to Mr.K.ANBARASAN, Advocate, S.R.No.1173

+1cc to Mr.C.R. KRISHNAMOORTHY, Advocate, S.R.No. 1075

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PA(CO)
TR(08/02/2018)



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