

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.07.2018

CORAM :

THE HONOURABLE MS. JUSTICE V.M.VELUMANI

Tr.C.M.P. No.414 of 2018
and C.M.P.No.10838 of 2018

Minor M.Haritha

Rep by her natural guardian mother/
next friend, Rajalakshmi.

... Petitioner/ Claimant

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/ Respondent

Prayer:- Petition is filed under Section 24 of C.P.C., 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 Chennai and direct the respective Court to proceed further.

For Petitioner : Mr.K.Anbarasan

For RR1 & 2 : No Appearance

For R3 : Ms.Saraswathy
for Mr.C.R.Krishnamoorthy

O R D E R

This petition is filed by the daughter of the deceased,

namely, P.Muthukumaran Rajagopalan, seeking to withdraw M.A.C.O.P.No.94 of 2015 pending on the file of Sub Court, Uthamapalayam, Theni District, filed for compensation in the road accident and transfer the same to any of the Small Causes Court at Chennai.

2.In the affidavit filed in support of the above petition, it is stated that the petitioner has now shifted her residence to Chennai and is studying in Chennai. The respondents 1 and 3 who are the Insurance Companies are also having office at Chennai.

3.Heard the learned counsel for the petitioner as well as the 3rd respondent and perused the materials available on record. Though notice has been served on the respondents 1 and 2 and their names are printed in the cause list, there is no representation for them either in person or through counsel.

4.In view of the similar order passed in connected Tr.C.M.P.Nos.428 and 429 of 2017 on 31.10.2017 and 08.01.2018 respectively, this Court is inclined to transfer M.A.C.O.P.No.94 of 2015, pending on the file of the Sub Court, Uthamapalayam, Theni District to any of the Small Causes Court, Chennai.

5.Accordingly, the Transfer Civil Miscellaneous Petition is ordered. The petition in M.A.C.O.P.No.94 of 2015 is ordered to be withdrawn from the file of the Sub Court, Uthamapalayam, Theni District and transferred to any of the Small Causes Court, Chennai. The learned Subordinate Judge, Uthamapalayam, Theni District is directed to transmit all the records pertaining to M.A.C.O.P.No.94 of 2015 to any of the Small Causes Court at Chennai within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

सत्यमेव जयते Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The Subordinate Judge, Uthamapalayam,
Theni District.

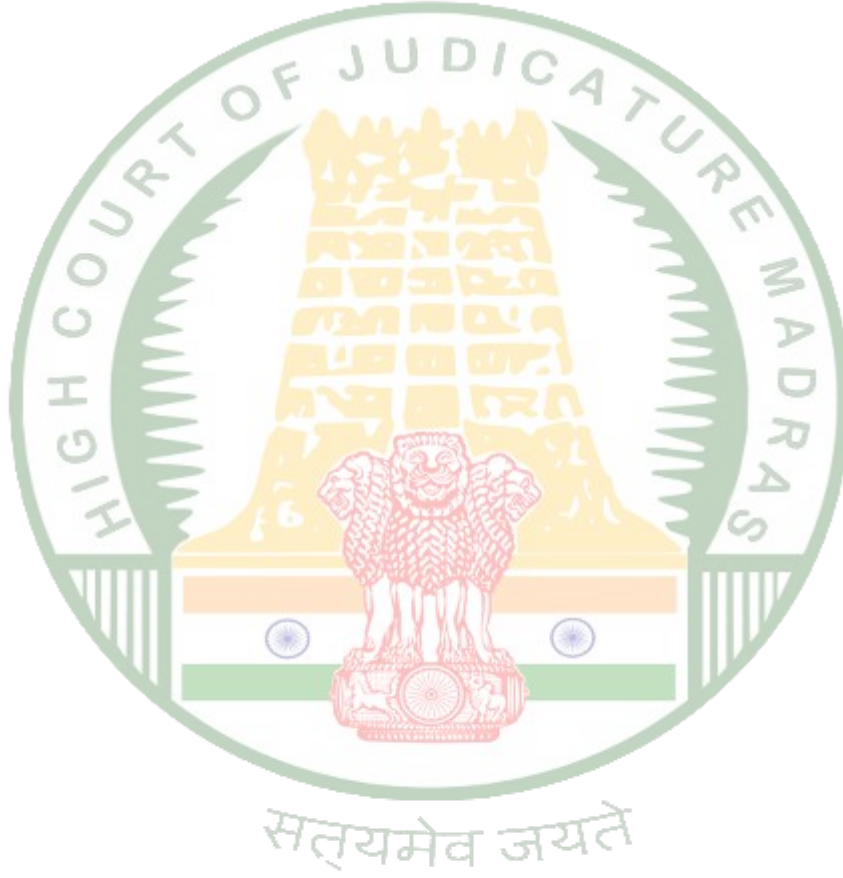
2.The Presiding Judge,
The Small Causes Court, Chennai.

+1cc to Mr.K.Anbarasan, Advocate, S.R.No.49311

+1cc to Mr.C.R.Krishnamoorthy, Advocate, S.R.No.48858

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GJII (CO)
GSP (16/08/2018)



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