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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

TR.C.M.P. (MD) .No.181 of 2018

and

C.M.P. (MD) .No.4340 of 2018

- 1.Hemalatha
- 2.Minor Dhanshik

2nd minor petitioner is
represented by his Natural guardian
and N.F.mother Hemalatha

... Petitioner

Vs

- 1.Vijayalakshmi
- 2.Ravi
- 3.Thangasamy

4.New India Assurance Co.Ltd.,
Divisional Office, Second Floor,
Jerome Building, Fort Station Road,
Trichy.

... Respondents

PRAYER : Petition filed under Section 24 of Civil Procedure Code to withdraw the case in M.C.O.P.No.167 of 2017 on the file of the Motor Accident Claims Tribunal, Kulithalai and transfer the same to the Motor Accident Claims Tribunal, Trichy to try along with M.C.O.P.No.265 of 2017.

For Petitioner : Mr.K.Arunraj
For R1 to R4 : No appearance

ORDER

The revision petitioners herein are the wife and children of the victim who died in an accident. In respect of the accident in question, the petitioners herein filed M.C.O.P.No.265 of 2017 before the Motor Accident Claims Tribunal, Trichy. The in-laws have filed M.C.O.P.No.167 of 2017 before the Motor Accident Claims Tribunal, Kulithalai.

2.In the very nature of things, in respect of the same accident, there may not be two separate M.C.O.Ps., before different Courts. Since, the claimants herein are the widow and the minor child, this Court withdraws M.C.O.P.No.167 of 2017 from the file of Motor Accident Claims Tribunal, Kulithalai and transfers the same to Motor Accident Claims Tribunal, Trichy, to be tried along with M.C.O.P.No.265 of 2017.



3. Accordingly, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar(T&P)

Sub Assistant Registrar(CS-II)

To

1.Motor Accident Claims Tribunal,
Trichy.

2.Motor Accident Claims Tribunal,
Kulithalai.

+1cc to Mr.Mr.K.Arunraj Advocate in SR.No.89444

ORDER MADE IN
TR.C.M.P. (MD) .No.181 of 2018
and
C.M.P. (MD) .No.4340 of 2018
09.10.2018

PNN

NM SV SAR2 29.11.2018 2P 4C