



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2018

CORAM :

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Tr.C.M.P. (MD) No.367 of 2017

and

C.M.P. (MD) No.7519 of 2017

1.Narayanan
2.Tamilthendral

... Petitioners / Respondents

/Vs./

1.Chinnathal
2.Mallika
3.Kala
4.Ilakkiya
5.Marimuthu
6.Subramanian
7.Karthika
8.Muthammal

... Respondents / Petitioners

Prayer: Petition - filed under Section 24 of the Code of the Civil Procedure, to pass an order to withdraw and transfer M.C.O.P.No.601 of 2017 on the file of the Motor Accident Claims Tribunal cum Special District Judge, Thanjavur and transfer the same to any other Court in Pudukottai District.

For Petitioners : Mr.K.N.Govardhanan

ORDER

The petitioners herein are the owners of the vehicle bearing Registration No.TN-55-L-2946. It is alleged that the said vehicle was involved in an accident resulting in the death of one Mahalingam. The accident had taken place at Karambakudi on 16.01.2017. But, the claim petition came to be filed before the Motor Accident Claims Tribunal at Thanjavur.

2. The case of the petitioners herein is that the claimants are residing at Ayyanapuram Paachikottai, Alangudi Taluk, Pudukottai District. Therefore, the claim petition must be filed either in the jurisdictional Court, where the accident had taken place or where the claimants are residing.



3. It appears that neither the claimants are residing nor the accident had taken place within the territorial jurisdiction of Thanjavur. Therefore, M.C.O.P.No.601 of 2017 is withdrawn from Motor Accident Claims Tribunal cum Special District Judge, Tanjore and transferred to Motor Accident Claims Tribunal, Pudukottai. Accordingly, the Transfer Civil Miscellaneous Petition is allowed.

4. The Court, to which M.C.O.P.No.601 of 2017 is transferred shall issue a fresh notice to the claimants, if necessary, by availing service of the jurisdictional police. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-IV)

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To

- 1.The Motor Accident Claims Tribunal cum Special District Judge,
Thanjavur.
- 2.The Motor Accident Claims Tribunal,
Pudukottai.
- 3.The Record Keeper, (2 COPIES)
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.

Tr.C.M.P. (MD) No.367 of 2017

NM/RP/SAR 4/27.09.2018/2P/5C