

HON'BLE SRI JUSTICE T. SUNIL CHOWDARY

TRANSFER C.M.P.No.603 of 2016

ORDER:

This petition is filed under Section 24 C.P.C., to withdraw M.V.O.P.No.565 of 2015 from the file of the Motor Accidents Claims Tribunal-cum-District Court, East Godavari District, at Rajahmundry, and transfer the same to the Motor Accidents Claims Tribunal-cum-III Additional District Court, Tirupati, to try along with M.V.O.P.No.153 of 2014.

2. Heard the learned counsel appearing for both the parties and perused the record.

3. A perusal of the record reveals that the petitioners herein have filed M.V.O.P.No.153 of 2014 on the file of the Motor Accidents Claims Tribunal-cum-III Additional District Court, Tirupati, claiming compensation under Section 166 of Motor Vehicles Act, for the death of N.Muralidhar Rao, in a road accident. Respondents 1 and 2 have filed counter in M.V.O.P.No.565 of 2015 on the file of the Court of Motor Accidents Claims Tribunal-cum-District Court, East Godavari District, at Rajahmundry, claiming compensation for the death of N.Muralidhar Rao. A perusal of the record reveals that there is a conflict of interest between the petitioners and the respondents.

4. At the time of arguments, both the counsel with one voice submitted that M.V.O.P.No.565 of 2015 and M.V.O.P.No.153 of 2014 may be withdrawn from its respective courts and transfer

both the OPs to Motor Accidents Claims Tribunal-cum-Metropolitan Sessions Court, Vijayawada, for disposal in accordance with law.

5. In view of the submissions made by both the counsel, this Court is not inclined to go into the merits of the main case.

6. In the result, the transfer Civil Miscellaneous Petition is allowed and M.V.O.P.No.153 of 2014 is withdrawn from the file of the Motor Accidents Claims Tribunal-cum-III Additional District Court, Tirupati, and transferred to Metropolitan Sessions Court, Vijayawada. M.V.O.P.No.565 of 2015 is withdrawn from the file of the Motor Accidents Claims Tribunal-cum-District Court, East Godavari District, at Rajahmundry, and transferred to Metropolitan Sessions Court, Vijayawada, to try along with M.V.O.P.No.153 of 2014. As a sequel, miscellaneous petitions, pending if any shall stand closed.

Dt:04.10.2018
Rns

T.SUNIL CHOWDARY, J