

THE HON'BLE SRI JUSTICE M. SATYANARAYANA MURTHY

Tr. CIVIL MISCELLEANEOUS PETITION No.123 of 2014

ORDER:

This Transfer Civil Miscellaneous Petition, under Section 24 of CPC, is filed by the petitioners to withdraw MVOP No.320 of 2010 pending on the file of MACT-cum-X Additional District Judge, Tirupathi and transfer the same to MACT-cum-District Judge, Kadapa, where MVOP No.52 of 2011 is pending.

The main ground urged before this Court is that both the claims are arising out of same accident, but the claims were filed by two wives and children of the deceased in different Tribunals at Tirupathi and Kadapa and in case both the claims are tried by different Tribunals/Courts, there is possibility of conflicting decisions which may lead to multiplicity of proceedings.

As per the material on record, the question of fact and law involved in both the OPs is one and the same.

Taking into consideration, the convenience of the parties and to avoid conflicting decisions, which may lead to multiplicity of proceedings, I deem it appropriate to withdraw MVOP No.320 of 2010 pending on the file of MACT-cum-X Additional District Judge, Tirupathi and transfer the same to the Court of MACT-cum-District Judge, Kadapa, where MVOP No.52 of 2011 is pending, by exercising power under Section 24 of CPC.

In the result, this Transfer Civil Miscellaneous Petition is allowed withdrawing MVOP No.320 of 2010 pending on the file of

MACT-cum-X Additional District Judge, Tirupathi and transferred the same to MACT-cum-District Judge, Kadapa.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

M. SATYANARAYANA MURTHY,J

Dt: 24-01-2018

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