

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

TRANSFER CMP.No.576 OF 2016

ORDER:

Heard the learned counsel for the petitioner/mother-in-law and the learned counsel for the 1st respondent / daughter-in-law.

The petitioner, who is figuring as respondent No.4 in MVOP.No.724 of 2015 pending on the file of the Chairman, Motor Accidents Claims Tribunal – cum - Principal District Judge, Visakhapatnam, filed the present transfer CMP under Section 24 (3) of the Code of Civil Procedure, 1908 read with Section 151 thereof, to withdraw the said MVOP from the file of the Chairman, Motor Accidents Claims Tribunal – cum - Principal District Judge, Visakhapatnam, and transfer the same to the file of the District Judge, Vijayawada, Krishna District, Andhra Pradesh.

Learned counsel for the petitioner would submit that the petitioner is very old and it is very difficult for her to travel all the way from Vijayawada, Krishna District, to Visakhapatnam.

Learned counsel for the 1st respondent would strongly resist the request contending that the age is not the criteria for acceding to the relief, more particularly, the petitioner is not that old to disable her to travel from Vijayawada to Visakhapatnam.

As the petitioner is not a senior citizen, what has been stated by the learned counsel for the 1st respondent appears to be convincing.

Besides the same, the very fact that the 1st respondent is residing with her parents accounts for a circumstance adverse to the request made herein by the petitioner. Since there is no reason as to why the 1st respondent was sent out or went to her parents' house, there is no merit in the present transfer CMP.

Hence, the transfer CMP is dismissed. No order as to costs.

Miscellaneous petitions, if any, pending in the present petition stand closed.

Dt: 27.04.2018
v v



JUSTICE A.SHANKAR NARAYANA