

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

TR.C.M.P.Nos.848 to 880 of 2017
& CMP.Nos.17754 to 17786 2017

The Divisional Manager,
The Oriental Insurance Co. Ltd.,
Chennai. .. Petitioner in Tr.CMP.No.848/2017

The Divisional Manager,
The Oriental Insurance Co. Ltd.,
K.J.R.Complex North Veli Street,
Madurai-1 .. Petitioner in Tr.CMP.Nos.849,852,
853,855 to 860,864 to 867,
870,871,878 and 880/2017

The Oriental Insurance Co. Ltd.,
Regional Office,
Chennai. .. Petitioner in Tr.CMP.No.850/2017

The Branch Manager,
The Oriental Insurance Co. Ltd.,
Mela Veli Veethi,
Madurai. .. Petitioner in Tr.CMP.No.851/2017

The Manager,
The Oriental Insurance Co. Ltd.,
Branch Office at K.J.R.Complex,
16 North Veli Street,
Madurai. .. Petitioner in Tr.CMP.No.854,879/2017

The Manager,
The Oriental Insurance Co. Ltd.,
Regional Office,
Chennai. .. Petitioner in Tr.CMP.No.861,876
& 877/2017

The Oriental Insurance Co. Ltd.,
Chennai. .. Petitioner in Tr.CMP.No.862/2017
The Branch Manager,
The Oriental Insurance Co. Ltd.,
Madurai. .. Petitioner in Tr.CMP.No.863/2017

The Oriental Insurance Co. Ltd.,
Divisional Office,
Uil Building, 4th Floor,
4th Esplanade,
Chennai 600 108. .. Petitioner in Tr.CMP.No.868,869/2017

The Oriental Insurance Co. Ltd.,
No.73/B-1, Salai Road,
Lakshmi Complex, Thillai Nagar,
Trichy. .. Petitioner in Tr.CMP.No.872 to 875/2017

Vs.

1.Ponnupandi
2.Satheeshkumar
3.Muthaiya
4.Lakshmi

5.The Managing Director,
South India Corporation Private Ltd.,
Chennai-6.

6.The Managing Director,
The Tamilnadu State Corporation Ltd.,
Bye Pass Road,
Madurai.

.. Respondents in Tr.CMP.No.848/2017

1 MAHALAKSHMI

2 SARAVANAKUMAR

3 SURESH

4 GURUVAMMAL

5 THE MANAGER
SOUTH INDIA CORPORATION PRIVATE LTD.
RANI SEETHAI HALL 6TH FLOOR
CHENNAI 6.

WEB COPY

6 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD.
BYE PASS ROAD MADURAI 16.

7 DHANAKUMARI

8 AKKAMMAL ... RESPONDENTS IN TR CMP NO.849 OF 2017

1 MRS. KAMESWARI

2 MINOR GOWTHEESWARAN
S/O LATE MURUGESAN

3 MINOR GOWRI RATHINA PARKAVI
D/O LATE MURUGESAN

4 MUTHURAMU

5 SOUTH INDIA TRANSPORT CO LTD
RANI SEETHAI HALL 6TH FLOOR NO 603
ANNA SALAI
CHENNAI 6

... RESPONDENTS IN TR CMP NO.850 OF 2017

1 MUTTHAMMAL

2 SUCHAN

3 LAKSHMI

4 SOUTH INDIA CORPORATION LTD
RANI SEETHAI HALL 6TH FLOOR
NO 603 ANNA SALAI
CHENNAI 6

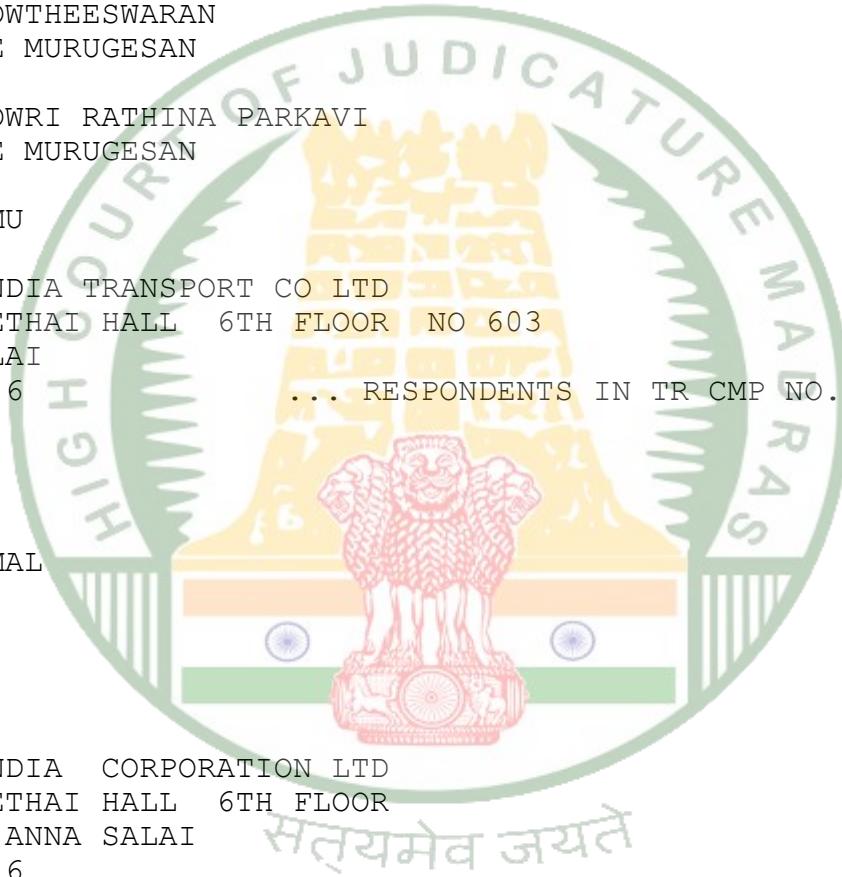
5 THE BRANCH MANAGER

THE TAMIL NADU STATE TRANSPORT CORPORATION LTD
THENI BRANCH

... RESPONDENT in TR CMP No.851 of 2017

1 MRS.DEVASORNAM

2 MINOR SUBIKSHA
D/O LATE DEVAKALAISELVAN



WEB COPY

3 MINOR JOYALRAJ

4 SOUTH INDIA CORPORATION PRIVATE LTD.
RANI SEETHAI HALL 6TH FLOR NO. 603
ANNA SALAI CHENNAI 6.

5 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD.
BYE PASS ROAD
DINDIGUL DISTRICT ... RESPONDENT in TR CMP No.852 of
2017

1 DEVASORAM

2 SOUTH INDIA CORPORATION LTD
RANI SEETHAI HALL 6TH FLOR NO. 603
ANNA SALAI CHENNAI 6.

3 THE MANAGING DIRECTOR
THE TAMIL NADU STATE TRANSPORT CORPORATION LTD
BYE PASS ROAD DINDIGUL DT.
... RESPONDENT in TR CMP No.853 of 2017

1 V.VIJAYALAKSHMI

2 SOUTH INDIA CORPORATION LTD
RANI SEETHAI HALL 6TH FLOR NO. 603
ANNA SALAI CHENNAI 6.

3 THE MANAGING DIRECTOR
THE TAMIL NADU STATE TRANSPORT CORPORATION LTD
COLLECTORATE BYE PASS ROAD
DINDIGUL DT.
... RESPONDENT in TR CMP No.854 of 2017

1 K.NATARAJAN

2 THE MANAGER
SOUTH INDIA CORPORATION PRIVATE LTD
RANI SEETHAI HALL 6TH FLOR NO. 603 ANNA SALAI
CHENNAI 6.

3 THE TAMILNADU STATE CORPORATION LTD
BYE PASS ROAD DINDIGUL DT.
... RESPONDENT in TR CMP No.855 of 2017

1 K.MUTHUKALEESWARAN

2 THE MANAGER
SOUTH INDIA CORPORATION PRIVATE LTD
RANI SEETHAI HALL 6TH FLOR NO. 603
ANNA SALAI CHENNAI 6.

3 THE TAMILNADU STATE TRANSPORT
CORPORATION LTD BYE PASS ROAD
DINDIGUL DT.

... RESPONDENTS in TR CMP No.856 of 2017

1 T. MANISELVAM

2 THE MANAGER
SOUTH INDIA CORPORATION PRIVATE LTD.
RANI SEETHAI HALL 6TH FLOR
NO. 603 ANNA SALAI
CHENNAI 6.

3 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD.
BYE PASS ROAD MADURAI 16.

... RESPONDENT in TR CMP No.857 of 2017

1 M. SUBRAMANIAN

2 THE MANAGER
SOUTH INDIA CORPORATION PRIVATE LTD. RANI
SEETHAI HALL 6TH FLOR NO. 603 ANNA SALAI
CHENNAI 6.

3 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD.
BYE PASS ROAD MADURAI 16.

... RESPONDENT in TR CMP No.858 of 2017

1 S. MARIKUMAR

2 THE MANAGER
SOUTH INDIA CORPORATION PRIVATE LTD. RANI
SEETHAI HALL 6TH FLOR NO. 603 ANNA SALAI
CHENNAI 6.

3 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD.
BYE PASS ROAD MADURAI 16.
... RESPONDENT in TR CMP No.859 of 2017

1 S. MUTHUMARI

2 THE MANAGER
SOUTH INDIA CORPORATION PRIVATE LTD. RANI
SEETHAI HALL 6TH FLOR NO. 603 ANNA SALAI
CHENNAI 6.

3 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD.
BYE PASS ROAD MADURAI 16.
... RESPONDENT in TR CMP No.860 of 2017

1 KOTTAIYAMMAL

2 SOUTH INDIA TRANSPORT
CORPORATION LTD. RANI SEETHAI HALL 6TH
FLOOR NO. 603 ANNA SALAI CHENNAI 6.

3 THE TAMIL NADU STATE TRANSPORT CORPORATION LTD.
COLLECTORATE BYE PASS ROAD DINDIGUL DT.
... RESPONDENT in TR CMP No.861 of 2017

1 PUSHPARANI

2 ANTONY XAVIER

3 VIJAY AROKIYARAJ

4 SOUTH INDIA CORPORATION LTD.
RANI SEETHAI HALL 6TH FLOOR NO. 603
ANNA SALAI CHENNAI 6.

5 THE TAMIL NADU STATE TRANSPORT CORPORATION LTD.
COLLECTORATE BYE PASS ROAD , DINDIGUL DT.

... RESPONDENT in TR CMP No.862 of 2017

1 ANDAVAR

2 PETCHAIAMMAL

3 MARIAMMAL

4 NAGAMMAL

5 KAMATCHI

6 PETHANAN

7 SHANTHI

8 SOUTH INDIA TRANSPORT CO LTD
RANI SEETHAI HALL 6TH FLOOR
NO 603 ANNA SALAI CHENNAI 6

9 THE MANAGING DIRECTOR
THE TAMIL NADU STATE TRANSPORT CO LTD BYE
PASS ROAD DINDIGUL DT.

... RESPONDENT in TR CMP No.863 of 2017

1 K. MAHALAKSHMI

2 THE MANAGER
SOUTH INDIA CORPORATION PRIVATE LTD. RANI
SEETHAI HALL 6TH FLOR NO. 603 ANNA SALAI
CHENNAI 6.

3 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD.
BYE PASS ROAD MADURAI 16.

... RESPONDENT in TR CMP No.864 of 2017

1 A. VENKATESAN

2 THE MANAGER
SOUTH INDIA CORPORATION PRIVATE LTD.
RANI SEETHAI HALL 6TH FLOOR
NO. 603 ANNA SALAI CHENNAI 6.

3 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD.
BYE PASS ROAD MADURAI 16.

... RESPONDENT in TR CMP No.865 of 2017

1 V. PANDI

2 THE MANAGER
SOUTH INDIA CORPORATION PRIVATE LTD. RANI
SEETHAI HALL 6TH FLOR NO. 603 ANNA SALAI
CHENNAI 6.

3 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD.
BYE PASS ROAD MADURAI 16.
... RESPONDENT in TR CMP No.866 of 2017

1 P. PANDIAMMAL

2 THE MANAGER
SOUTH INDIA CORPORATION PRIVATE LTD. RANI
SEETHAI HALL 6TH FLOR NO. 603 ANNA SALAI
CHENNAI 6.

3 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD.
BYE PASS ROAD MADURAI 16.
... RESPONDENT in TR CMP No.867 of 2017

1 K. SELVARAJ

2 SOUTH INDIA CORPORATION PVT
LTD. RANI SEETHAI HALL 6TH FLOR NO. 603
ANNA SALAI CHENNAI 6.

... RESPONDENT in TR CMP No.868 of 2017

1 S.DHANALAKSHMI

2 SOUTH INDIA CORPORATION PVT
LTD RANI SEETHAI HALL 6TH FLOR NO. 603
ANNA SALAI CHENNAI 6.

... RESPONDENT in TR CMP No.869 of 2017

1 MINOR KAVIA
REP BY HER MOTHER AND NATURAL GAURDIAN K.
MAHALAKSHMI

2 THE MANAGER
SOUTH INDIA CORPORATION PVT LTD. RANI
SEETHAI HALL 6TH FLOR NO. 603 ANNA SALAI
CHENNAI 6.

3 THE TAMIL NADU STATE TRANSPORT CORPORATION LTD
BYE PASS ROAD MADURAI.
... RESPONDENT in TR CMP No.870 of 2017

1 MINOR KUMARESAN
REP.BY HER MOTHER AND NATURAL GUARDIAN K.MAHALAKSHMI

2 THE MANAGER
SOUTH INDIA CORPORATION PVT LTD RANI SEETHAI
HALL 6TH FLOOR NO.603 ANNA SALAI CHENNAI-6

3 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD
COLLECTORATE POST BYE PASS ROAD
DINDIGUL (DIST)

... RESPONDENT in TR CMP No.871 of 2017

1 S.MEENA

2 MINOR.S.RAMYA DEVI
D/O.SURULIRAJAN

3 SOUTH INDIA CORPORATION PVT
LTD RANI SEETHAI HALL 6TH FLOOR NO.603
ANNA SALAI CHENNAI-6

4 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD
COLLECTORATE POST BYE PASS ROAD
DINDIGUL (DIST)

... RESPONDENT in TR CMP No.872 of 2017

1 S.MEENA

2 SOUTH INDIA CORPORATION PVT LTD
RANI SEETHAI HALL 6TH FLOOR NO.603
ANNA SALAI CHENNAI-6

3 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD
COLLECTORATE POST BYE PASS ROAD
DINDIGUL

... RESPONDENT in TR CMP No.873 of 2017

1 S.MEENA

2 MINOR.S.RAMYAVATHI
D/O.SURULIRAJAN (REP.BY HER MOTHER NATURAL
GUARDIAN S.MEENA)

3 DHANABAKIYAM

4 SURESH @ PALANIMUTHU

5 SOUTH INDIA CORPORATION PVT LTD
RANI SEETHAI HALL 6TH FLOOR NO.603
ANNA SALAI CHENNAI-6

6 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD
COLLECTORATE POST BYE PASS ROAD
DINDIGUL (DIST)

... RESPONDENT in TR CMP No.874 of 2017

1 MINOR.S.RAMYAVATHI
D/O.SURULIRAJAN

2 SOUTH INDIA CORPORATION PVT LTD
RANI SEETHAI HALL 6TH FLOOR NO.603
ANNA SALAI CHENNAI-6

3 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION LTD
COLLECTORATE POST BYE PASS ROAD
DINDIGUL (DIST)

... RESPONDENT in TR CMP No.875 of 2017

1 K. NATARAJAN

2 SOUTH INDIA CORPORATION PVT LTD.
RANI SEETHAI HALL 6TH FLOOR
NO.603 ANNA SALAI CHENNAI.

3 THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION LTD.
COLLECTORATE POST BYE PASS DINDIGUL DIST.

... RESPONDENT in TR CMP No.876 of 2017

1 M. ULAGANATHAN

2 SOUTH INDIA CORPORATION PVT LTD.
RANI SEETHAI HALL 6TH FLOOR NO.603
ANNA SALAI CHENNAI.

3 THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION LTD.
COLLECTORATE POST BYE PASS ROAD DINDIGUL
DIST.

... RESPONDENT in TR CMP No.877 of 2017

1 PONNUTHAI

2 THE MANAGER
SOUTH INDIA CORPORATION PVT LTD. RANI
SEETHAI HALL 6TH FLOOR NO.603 ANNA SALAI
CHENNAI.

3 THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION LTD.
BYE PASS MADURAI -16.

... RESPONDENT in TR CMP No.878 of 2017

1 B. PANCHU

2 THE MANAGER
SOUTH INDIA CORPORATION PVT LTD.
RANI SEETHAI HALL 6TH FLOOR NO.603 ANNA SALAI
CHENNAI.

3 THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION LTD.
BYE PASS MADURAI -16.

... RESPONDENT in TR CMP No.879 of 2017

1 MUTHULAKSHMI

2 THE MANAGER
SOUTH INDIA CORPORATION PVT LTD.
RANI SEETHAI HALL 6TH FLOOR NO.603
ANNA SALAI CHENNAI.

3 THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION LTD.
BYE PASS MADURAI -16.

... RESPONDENT in TR CMP No.880 of 2017

Prayer in TR CMP No.848 of 2017:- Transfer Civil Miscellaneous
Petition filed under Section 24 CPC to withdraw MCOP.No.28 of
2016 from the file of the Motor Accidents Claims Tribunal
(Principal District Judge) at Srivilliputhur, and transfer the
same to the file of Motor Accident Claims Tribunal(Small Causes
Court) at Chennai.

Prayer in TR CMP No.849 of 2017:-

To order withdrawal of the MCOP No. 82 of 2016 on the file of
the Learned Motor Accidents Claims Tribunal (District Judge)

at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.850 of 2017:

To order withdrawal of the MCOP NO 115/2016 on the file of the learned MACT (Principal District and Sessions Judge) at Periyakulam, and transfer the same to the learned MACT (Small Causes Court) at Chennai.

Prayer in TR CMP No.851 of 2017:

To withdrawal of the MCOP NO 138/2016 on the file of the learned MACT (District Judge) at Madurai, and transfer the same to the learned MACT (Small Causes Court) at Chennai.

Prayer in TR CMP No.852 of 2017:

To order withdrawal of the MCOP No. 182 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.853 of 2017:

To order withdrawal of the MCOP No. 183 2016 on the file of the Learned MACT District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.854 of 2017:

To order withdrawal of the MCOP No. 293 2016 on the file of the Learned MACT District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.855 of 2017:

To order withdrawal of the MCOP No. 441 2016 on the file of the Learned MACT District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.856 of 2017:

To order withdrawal of the MCOP No. 442 2016 on the file of the

Learned MACT District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.857 of 2017:

To order withdrawal of the MCOP No. 443 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.858 of 2017:

To order withdrawal of the MCOP No. 444 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.859 of 2017:

To order withdrawal of the MCOP No. 445 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.860 of 2017:

To order withdrawal of the MCOP No. 446 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.862 of 2017:

To order withdrawal of the MCOP No. 468 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (Special Sub Judge) at Thirunelveli and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.861 of 2017:

To order withdrawal of the MCOP No. 447 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident

Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.863 of 2017:

To withdrawal of the MCOP NO 510/2016 on the file of the learned MACT at Madurai, and transfer the same to the learned MACT (Small Causes Court) at Chennai.

Prayer in TR CMP No.864 of 2017:

To order withdrawal of the MCOP No. 532 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai .

Prayer in TR CMP No.865 of 2017:

To order withdrawal of the MCOP No. 533 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai .

Prayer in TR CMP No.866 of 2017:

To order withdrawal of the MCOP No. 534 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai .

Prayer in TR CMP No.867 of 2017:

To order withdrawal of the MCOP No. 535 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai .

Prayer in TR CMP No.868 of 2017:

To order withdrawal of the MCOP No. 569 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.869 of 2017:

To order withdrawal of the MCOP No. 570 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.870 of 2017:

To order withdrawal of the MCOP No. 624 of 2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition and pass such further or other orders as may be deemed fit and proper and thus render justice.

Prayer in TR CMP No.871 of 2017:

To order withdrawal of the MCOP.No.625 of 2016, on the file of the Learned Motor Accidents Claims Tribunal (Special District Judge) at Madurai, and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai, allow this petition.

Prayer in TR CMP No.872 of 2017:

To order withdrawal of the MCOP.No.842 of 2016, on the file of the Learned Motor Accidents Claims Tribunal (Special District Judge) at Trichy, and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai, allow this petition.

Prayer in TR CMP No.873 of 2017:

To order withdrawal of the MCOP.No.843 of 2016, on the file of the Learned Motor Accidents Claims Tribunal (Special District Judge) at Trichy, and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai, allow this petition.

Prayer in TR CMP No.874 of 2017:

To order withdrawal of MCOP.No.844 of 2016, on the file of the Learned Motor Accidents Claims Tribunal (Special District Judge) at Trichirapalli, and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai, allow this petition.

Prayer in TR CMP No.875 of 2017:

To order withdrawal of MCOP.No.845 of 2016, on the file of the Learned Motor Accidents Claims Tribunal (Special District Judge) at Trichirapalli, and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai, allow this petition.

Prayer in TR CMP No.876 of 2017: To order withdrawal of the MCOP.No.846/2016 on the file of the Learned Motor Accidents Claims Tribunal (Special District Judge) at Tirchirapalli, and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition.

Prayer in TR CMP No.877 of 2017:

To order withdrawal of the MCOP.No.847/2016 on the file of the Learned Motor Accidents Claims Tribunal (Special District Judge) at Trichirapalli, and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition.

Prayer in TR CMP No.878 of 2017:

To order withdrawal of the MCOP.No.1002/2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai, and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition.

Prayer in TR CMP No.879 of 2017:

To order withdrawal of the MCOP.No.1003/2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai, and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition.

Prayer in TR CMP No.880 of 2017:

To order withdrawal of the MCOP.No.1016/2016 on the file of the Learned Motor Accidents Claims Tribunal (District Judge) at Madurai, and transfer the same to the Learned Motor Accident Claims Tribunal (Small Causes Court) at Chennai allow this petition.

For petitioner : Mr.J.Chandran
(In all TR.C.M.Ps)

For Respondents:
(In Tr.C.M.P.No.848/2017)
R1 to R5 : No Appearance

R6 : Mr.S.V.Vasanthakumar

For Respondents : No Appearance
(in Tr.C.M.P.No.849 to 880/2017)

COMMON ORDER

These Transfer Civil Miscellaneous Petitions have been filed to withdraw MCOP.Nos.28, 82, 138, 182, 183, 293, 441, 442, 443, 444, 445, 446, 447, 510, 532, 533, 534, 535, 569, 570, 624, 625, 1002, 1003, 1016, 842, 843, 844, 845, 846, 847, 5054, 5056, 5072, 115, and 468 of 2016 respectively, from the files of

different Courts all over the Tamilnadu, and transfer the same to the file of Motor Accident Claims Tribunal(Small Causes Court) at Chennai.

2. The petitioner in the above mentioned all Transfer Civil Miscellaneous petition is the Divisional Manager, The Oriental Insurance Company Limited of respective Districts of Tamilnadu. He was arrayed as the respondent in the above mentioned Transfer civil miscellaneous petitions stating that being an 'insurer', he is liable to pay the compensation fixed by the Claims Tribunal.

3. Now, the petitioner has approached this Court under Section 24 of the Civil Procedure Code for the relief to transfer the these Transfer civil miscellaneous petitions from the files of the various Courts in Tamilnadu and transfer the same to the file of Motor Accident Claims Tribunal(small causes Court), Chennai.

4. The only grievance redressed by the petitioner is that all the claim petitions are filed with respect to the accident happened on 06.02.2016 at about 3.05p.m due to the involvement of Bus bearing No.TNSTC BUS TN-57-N-1872 and Lorry bearing No.TN-01-AS-8128. According to the petitioner, the victims of the above said occurrence filed the claims petitions in various Courts before the Motor Accident Claims Tribunal at Madurai, Trichy, Periyakkulam, Srivilluputhur, Tirunelveli and Chennai. Further, he submitted that those cases are now posted under the caption '' for filing counter or for ex-parte evidence''.

5. The learned counsel appearing for the petitioner would contend that since the claim applications are all related to a single accident, if these petitions are tried by the different Courts, there may be a chance for coming out the conflicting decisions. Only for the above said reason, he prayed to allow the present petitions.

6. In Tr.CMP.No.848 of 2017 alone, Mr.S.V.Vasantha Kumar, learned counsel takes notice on behalf of the Managing Director, Tamilnadu State Corporation Ltd, Madurai/ the sixth respondent therein and in respect to the other respondents in Tr.CMP.No.848 of 2017, this Court ordered that the notice to the respondents are dispensed with in order to avoid the avoidable delay.

7. Now, the Learned counsel appearing for the Managing Director, Tamilnadu State Corporation has submitted that since the petitioner in all the claim petitions is residing in various localities all over the Tamilnadu and also due to the reason that the respondents/claimants are the poor and illiterate, it

is very difficult for them in attending the Court proceedings at Chennai.

8. Now, on considering the submissions made on either side, it is true that nearly 51 claim petitions are pending in the various Courts of Tamilnadu as narrated in paragraph nos.3 & 4 of the affidavit filed in Tr.CMP.No.848 of 2017.

9. Further, in each and every petition, so many claimants have arrayed as party to the proceedings. Further, on going through the claim petitions filed by the respective claimants, it appears that they are very poor and illiterate persons. Further, if the cases are transferred to the Court of Small Causes, Chennai, the claimants having duty bound to engage their respective counsel for taking trial before this Court. The said facts have creating inconvenience to all claimants. Apart from that for fixing compensation, the nature of injury sustained by the claimants and the income derived by the deceased alone have to be taken into account for determining compensation. Apart from that no relevant factors have to be decided in the petitions filed under Section 166 of the Motor Vehicles Act. Therefore, for deciding those factors, joint trial or simultaneous trial is not necessary. Allowing the petitions filed by the claimants is necessarily project the right of the parties, for claiming compensation from the petitioner and from the other respondents, who either being a Driver or Insurer.

10. Accordingly, on culling out the entire facts and circumstances, I am of the considered view that the applications filed by the petitioner does not having any merit and accordingly, all the Transfer miscellaneous petitions are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Motor Accidents Claims Tribunal
(Principal District Judge) at Srivilliputhur.

2.The Motor Accident Claims Tribunal/District Judge,
Madurai.

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- 3.The Motor Accident Claims Tribunal/Special District Judge,
Trichy.
- 4.The Motor Accident Claims Tribunal/Principal District
and Sessions Judge, Periyakkulam.
- 5.The Motor Accident Claims Tribunal/Special Subordinate Judge,
Tirunelveli.
- 6.The Motor Accident Claims Tribunal (Small Causes Court)
Chennai.
- 7.The Divisional Manager,
The Oriental Insurance Co. Ltd., Chennai.
- 8.The Managing Director,
South India Corporation Private Ltd., Chennai-6.
- 9.The Managing Director,
The Tamilnadu State Corporation Ltd.,
Bye Pass Road, Madurai.
- 10.The Manager,
South India Corporation Private Ltd.,
Rani Seethai Hall, 6th Floor, Chennai 6.
- 11.The Branch Manager,
The Tamilnadu State Corporation Ltd.,
Theni Branch.
- 12.The Branch Manager,
The Oriental Insurance Co. Ltd.,
Mela Veli Veethi, Madurai.
13. The Divisional Manager,
Oriental Insurance Co Ltd.,
A.R.Plaza, Northveli Street, Madurai.
- 14.The Managing Director,
Tamil nadu State Transport Corporation,
Bye Pass Road, Dindigul District.
- 15.The Manager,
The Oriental Insurance Co. Ltd.,
Branch Office at K.J.R.Complex,
16 North Veli Street, Madurai.
16. The Divisional Manager,
Oriental Insurance Co.Ltd.,
K.J.R.Complex, Northveli Stree, Madurai.

17. The Manager,
The Oriental Insurance Co. Ltd.,
Regional Office, Chennai.

18.The Oriental Insurance Co. Ltd.,
Divisional Officer UIL Building,
4th Floor, No.4 Esplanade,
Chennai-108.

19.The Tamil Nadu State Transport Corporation Ltd.,
Bye Pass Road, Madurai 16.

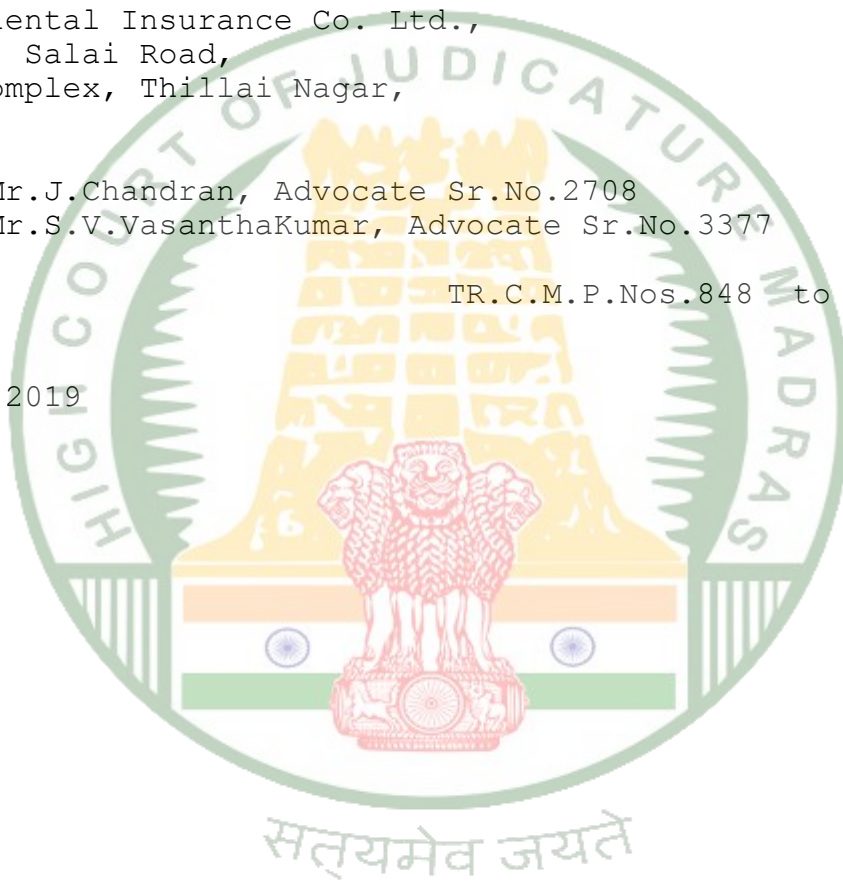
20.The Oriental Insurance Co. Ltd.,
No.73/B-1, Salai Road,
Lakshmi Complex, Thillai Nagar,
Trichy.

+1 cc to Mr.J.Chandran, Advocate Sr.No.2708

+1 cc to Mr.S.V.VasanthaKumar, Advocate Sr.No.3377

TR.C.M.P.Nos.848 to 880 of 2017

JP(CO)
CSL/11.03.2019



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