



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 19.03.2020

CORAM

WEB COPY

THE HONOURABLE Mrs. JUSTICE R.THARANI

TR C.M.P (MD) No.86 of 2020

and

C.M.P(MD) No.1738 of 2020

1.Kavitha

2.Minor Kiruthika

3.Minor Sachin

4.Meenambal

... Petitioners

-Vs-

1.Senthil Kumar

2.The Divisional Manager,
United India Company Limited,
7-A, West Veli Street, Madurai.

... Respondents

Prayer: Transfer Civil Miscellaneous Petition is filed under Section 24 of Civil Procedure Code, to withdraw the claim petition in M.C.O.P.No.456 of 2008 on the file of the Motor Accident Claim Tribunal/Special Court for Communal Clashes Cases, Madurai and to transfer the same to the Principal District Judge, Ramanathapuram.

For Petitioners : Mr.K.Kumaravel

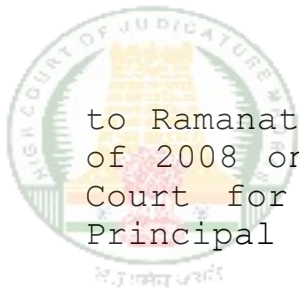
For R1 : No appearance

For R2 : Mr.J.S.Murali

O R D E R

This petition has been filed seeking transfer of M.C.O.P.No.456 of 2008 on the file of the Motor Accident Claim Tribunal/Special Court for Communal Clashes Cases, Madurai, to the file of the Principal District Judge, Ramanathapuram.

2.On the side of the petitioners it is stated that the the first petitioner has to take care of her mother-in-law and her children and it is difficult for her to attend the Court at Madurai. At the time of filing the case, the petitioners were residing at [redacted] Madurai. Now, the petitioners shifted their residence



to Ramanathapuram and hence, prayed to transfer the M.C.O.P.No.456 of 2008 on the file of the Motor Accident Claim Tribunal/Special Court for Communal Clashes Cases, Madurai, to the file of the Principal District Judge, Ramanathapuram.

3.On the side of the second respondent, it is stated that the petitioners have right to choose the Tribunal and the petitioners are not entitled to change the same as and when required.

4.It is stated that the petitioners are now residing at Ramanathapuram. The copy of the Adhar Card reveals that the place of residence of the petitioner is at Ramanathapuram.

5.The reasons stated by the petitioners are satisfactory. No prejudice will be caused to the respondent. Hence, M.C.O.P.No.456 of 2008 is withdrawn from the file of the Motor Accident Claim Tribunal/Special Court for Communal Clashes Cases, Madurai and the same is transferred to the Principal District Judge, Ramanathapuram. The learned Motor Accident Claim Tribunal/Special Court for Communal Clashes Cases, Madurai, is directed to transmit the entire records in M.C.O.P.No.456 of 2008 to the Principal District Judge, Ramanathapuram. The Principal District Judge, Ramanathapuram, is hereby, directed to transfer the case to any Court having jurisdiction, according to the pendency.

6.With the above the directions, this Transfer Civil Miscellaneous Petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (RECORDS)

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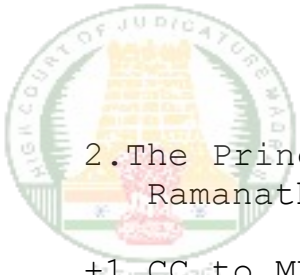
Sub Assistant Registrar(CS)

DSS

To

1.The Motor Accident Claim Tribunal/
Special Court for Communal Clashes Cases,
Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Principal District Judge,
Ramanathapuram.

+1 CC to MR.K.KUMARAVEL, Advocate (SR-12703[F] dated 20/03/2020)

+1 CC to MR.J.S.MURALI, Advocate (SR-12651[F] dated 20/03/2020)

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