



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2022

WEB COPY

CORAM

THE HONOURABLE MS. JUSTICE P.T.ASHA

Tr.CMP. No.782 of 2021

1. Gandhi

2. Papayee ... Petitioners/Claimants.

Vs

1. Thangaraj

2. The United India Insurance Company,
MO Coimbatore, PAPP and apos and apos,
S.Plaza, 1st Floor, 70/8 Mettupalayam Road,
near Telephone Exchange,
Periyanaickenpalayam, Coimbatore.
... Respondents/Respondents.

PRAYER: Petition filed under Section 24 of the Code of Civil Procedure, to order to withdraw the case pending on the file of the Addl. Dist. Judge at Namakkal in MCOP No.1164/2016 and transfer the same to the file of the Addl. Dist. judge Coimbatore.

For Petitioners : M/s.N.Umapathi

For Respondents : Mr.M.J.Vijayaragavan [R.2]
No Appearance [R.1]

ORDER

The above application is filed by the claimant in M.C.O.P.No.1164 of 2016 pending on the file of the Motor Accident Claims Tribunal, Namakkal to be transferred to the file of the Motor Accident Claims Tribunal, Coimbatore.

2. The claimants had filed the above M.C.O.P., claiming compensation for the death of one Varatharajan, the husband of the 1st petitioner and the father of the 2nd petitioner, who died



in a Motor vehicle accident which took place at Coimbatore. The claim petition was filed before the Tribunal at Namakkal as the petitioners were then residing there. Now, the application has been filed seeking transfer on the ground that the petitioners are now residing at Coimbatore and that the accident had also occurred at Coimbatore, the respondents are also residing there and running their business at Coimbatore.

3. The learned counsel appearing for the respondent/ insurance company would submit that the Motor Accident claim is of the year 2016 and at this late stage an application has been filed for transfer. However, he would concede that the trial is still to open in the above matter.

4. Considering the above and taking into account the fact that the petitioner/claimants and the respondents are all within the jurisdiction of the Motor Accident Claims Tribunal at Coimbatore, the Transfer Civil Miscellaneous Petition is allowed and M.C.O.P.No.1164 of 2021, pending on the file of the Additional District Judge at Namakkal is withdrawn and transferred to the file of the Additional District Judge at Coimbatore. The Above M.C.O.P.No.1164 of 2016 on transfer shall be disposed of within a period of four months from the date of receipt of the record from the Additional District Judge, Namakkal. No costs. Consequently, connected Miscellaneous Petition is closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1.The Additional District Judge at Namakkal.

2.The Additional District Judge at Coimbatore.

+1cc to Mr.N.Umapathi, Advocate Sr.16917

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srg 05/04/2022