



TR.C.M.P(MD)No.457 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.10.2022

CORAM:

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**TR.C.M.P(MD)No.457 of 2022 and**  
**C.M.P(MD)No.7423 of 2022**

1.K.Ananda Meenakshi  
2.Minor Dhananth  
represented through his  
natural guardian  
K.Ananda Meenakshi. ... Petitioners  
Vs  
1.Jegavathi  
2.TamilSelvi  
3.Moovendran  
4.The New India Assurance Company Limited,  
Rosary Church Buildings,  
2<sup>nd</sup> Floor, 61 Town Hall Road,  
Madurai - 625 001, Branch at No.94/4,  
V.M.Complex,  
Athani Road, Sathyamangalam Taluk,  
Erode District. ... Respondents

Transfer Civil Miscellaneous Petition is filed under Section 24 of C.P.C, to withdraw the case in MCOP.No.78 of 2022 on the file of the Motor Accident Claims Tribunal, Sathyamangalam and transfer the same to the Motor Accident Claims Tribunal, Madurai.



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For Petitioner : Mr.R.Venkatesan  
For Respondent : Mr.Geethanjali  
Nos.1 and 2  
For Respondent : Mr.N.Dilip Kumar  
No.4

**ORDER**

This Transfer Civil Miscellaneous Petition is filed seeking transfer of the case in case in MCOP.No.78 of 2022 from the file of the Motor Accident Claims Tribunal, Sathyamangalam and transfer the same to the Motor Accident Claims Tribunal, Madurai.

2.The first petitioner's husband one Ramachandran died in an accident at Andipatti on 21.02.2022. The petitioner's wife has filed a petition seeking compensation in MCOP.No.1246 of 2022 before the Special District Court for MCOP Cases, Madurai. While so, the parents of the deceased Ramachandran have filed a petition seeking compensation in MCOP.No.78 of 2022 before the Motor Accident Claims Tribunal, Sathyamangalam. This MCOP filed by the parents before



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the Tribunal at Sathyamangalam is sought to be transferred to the Tribunal at Madurai.

3.The learned Counsel for the petitioners submits that the first petitioner has filed MCOP.No.1246 of 2022 before the Special District Court for MCOP cases at Madurai and her in-laws have filed a similar petition in MCOP.No.78 of 2022 before the Motor Accidents Claims Tribunal at Sathyamangalam adding the petitioners as respondents. Further, the first petitioner has met with an accident and suffering with permanent disability on her mouth and jaw. Since the petitioners are residing in Madurai, they find it difficult to appear before the Court at Sathyamangalam.

4.The learned Counsel appearing for respondents 1 and 2 submits that they have no objection for allowing this petition. The learned Counsel appearing for respondent 4 suggested that both MCOP cases shall be ordered to be tried together.

5.Heard the learned Counsel on either side.



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6.The first petitioner's husband died in an accident at Andipatti. The petitioners have filed a claim petition in MCOP.No.1246 of 2022 before the Special District Court to deal with MCOP Cases, Madurai and the parents of the deceased have filed MCOP No.78 of 2022 before the Motor Accidents Claims Tribunal, Sathyamangalam. The first petitioner claims that she has met with an accident and sustained disability. She is also depending upon her aged parents and her son the second petitioner is also a minor. For the same claim two petitions are pending before various Courts. In order to avoid confusing orders, this court is inclined to allow this transfer civil miscellaneous petition.

7.In the light of the above, this transfer civil miscellaneous petition stands allowed with the following directions:

(i)The case in MCOP.No.78 of 2022 on the file of the Motor Accident Claims Tribunal,



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Sathyamangalam is transferred to the  
Special District Court for MCOP Cases, Madurai;

(ii)The learned Judge, Motor Accident Claims Tribunal, Sathyamangalam is directed to send the above case records within a period of fifteen days from the date of receipt of a copy of this order to the learned Judge, Special District Court for MCOP Cases, who in turn, on receipt of the case, shall try it along with MCOP.No.1246 of 2022 and dispose of the same as expeditiously as possible. No costs. Consequently, connected miscellaneous petition stands closed.

**17.10.2022**

Index: Yes/No

To

- 1.The Judge,  
Special District Court for MCOP Cases,  
Madurai.
- 2.The Judge,  
Motor Accident Claims Tribunal,  
Sathyamangalam.

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B. PUGALENDHI , J.

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