



WEB COPY

Tr.C.M.P.No.683 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Tr.C.M.P.No.683 of 2022 and
C.M.P.No.11750 of 2022

1.Periyanayagi
2. Kumar
3. Santhakumar
4. Selvakumar .. Petitioner

vs

1. S.Dhanasekaran
2. The Divisional Manager
Division Office (Third Party Hub)
New India Assurance Company
No.179 Jawaharlal Nehru Street
Mochi Building, 3rd Floor
Pondicherry – 605 001. .. Respondent

Prayer: Transfer CMP is filed under Section 24 of the Civil Procedure Code, to withdraw the M.A.C.T.O.P.No.458 of 2020, pending on the file of the Hon'ble Motor Accident Claim Tribunal, Gingee and transfer the same to the file of the Hon'ble Small Causes Court, Chennai for disposal in accordance with law.

For Petitioner : Mr.T.K.Sathiaseelan

For Respondent 1 : No such person

For Respondent 2 : Ms.S.Arunkumar



ORDER

The transfer petition is filed to withdraw the M.A.C.T.O.P.No.458 of 2020, pending on the file of the Motor Accident Claim Tribunal, Gingee and transfer the same to the Small Causes Court, Chennai.

2. Learned counsel for the petitioners states that all the petitioners, who are the legal heirs of the deceased victim, are residing at Chennai and it would be difficult for them to travel and contest the accident claim petition.

3. Since all the legal heirs of the deceased victim are residing at Chennai and the respondent Insurance Company has no serious objection in transferring the petition, this Court is inclined to consider the transfer petition, accordingly, the M.A.C.T.O.P.No.458 of 2020, pending on the file of the Motor Accident Claim Tribunal, Gingee stands transferred to the Small Causes Court, Chennai.

4. The Motor Accident Claim Tribunal, Gingee is directed to transmit the case papers within a period of two weeks from the date of receipt of a copy of this order.



5. With these directions, the transfer petition is allowed. There will be no order as to costs. Consequently, the connected miscellaneous petition is closed.

23.01.2023

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation: Yes/No
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To

1. The Motor Accident Claim Tribunal, Gingee.
2. The Small Causes Court, Chennai.



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S.M.SUBRAMANIAM, J.

(drm)

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