



Tr.C.M.P(MD)No.130 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **10.03.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.130 of 2023

and

C.M.P(MD)No.2976 of 2023

1.Muthammal

2. Rengaraj

3.Renganayaki

4.Pushpalatha

... Petitioners/
Petitioners

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation,
Tiruchirapalli District.

... Respondent/
Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the case in MCOP.No.437 of 2016 on the file of the Principal District and Sessions Court, Perambalur and to transfer the said case to the Special District Court to deal with MCOP Cases, Tiruchirappalli.

For Petitioner : Mr.C.Vakeeeswaran



Tr.C.M.P(MD)No.130 of 2023

ORDER

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The present transfer civil miscellaneous petition has been filed to transfer M.C.O.P.No.437 of 2016 on the file of the Principal District and Sessions Court, Perambalur to the Special District Court to deal with MCOP Cases, Tiruchirappalli.

2. The learned counsel for the petitioner submitted that the trial is yet to be commenced in M.C.O.P.No.437 of 2016. The learned counsel for the petitioner further submitted that the accident took place on 17.12.2012 in Trichy. At the point of time, the petitioner was residing in Perambalur District. Therefore, M.C.O.P.No.437/2016 was filed before the Principal District and Sessions Court, Perambalur. The learned counsel for the petitioner submitted that the petitioner was aged about 52 years approximately and the petitioner have now shifted permanently to Trichy and since the accident took place in Trichy and that the resident is also from Trichy District. The case can be transferred from Principal District and Sessions Court, Perambalur and to the Special District Court to deal with MCOP Cases, Tiruchirappalli.



Tr.C.M.P(MD)No.130 of 2023

3. Considering the fact that the petitioner is now residing in Trichy and considering the fact the respondent is also from Trichy and considering the fact that the accident took place within the jurisdiction of Trichy, the present Transfer Civil Miscellaneous Petition stands allowed. M.C.O.P.No.437 of 2016 is directed to be transferred from Principal District and Sessions Court, Perambalur to the Special District Court to deal with MCOP Cases, Tiruchirappalli. The Special District Court to deal with MCOP Cases, Tiruchirappalli shall endeavour to complete the proceedings preferably within a period of 12 months from the date of receipt of copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

10.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To

- 1.The Principal District and Sessions Court,
Perambalur.
- 2.The Special District Court to deal with MCOP Cases,
Tiruchirappalli.
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court, Madurai.



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Tr.C.M.P(MD)No.130 of 2023

C.SARAVANAN ,J.

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