



Tr.C.M.P(MD)No.493 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.02.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

Tr.C.M.P(MD)No.493 of 2022

and

C.M.P(MD)No.7858 of 2022

Ravi

... Petitioner/ Petitioner

Vs.

1.Chandran

2.United India Insurance Company Ltd.,
Represented by its Branch Manager,
Jeevajothe Building,
Palani Road,
Dindigul Town.

... Respondents/ Respondent

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to transfer the claim petition in M.C.O.P.No.42 of 2016 on the file of the Motor Accident Claims Tribunal / Special Sub Court, Dindigul to the file of Motor Accident Claims Tribunal / District Court, Madurai.

For Petitioner : Mr.K.Ravi

For R1 : No Appearance



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For R2

: Mr.C.Jawahar Ravindran

ORDER

The present transfer civil miscellaneous petition has been filed to transfer M.C.O.P.No.42 of 2016 pending on the file of the Motor Accident Claims Tribunal / Special Sub Court, Dindigul to the file of Motor Accident Claims Tribunal / District Court, Madurai.

2. According to the petitioner, he is a permanent resident of Madurai and accident has taken place within the jurisdiction of the Dindigul Court. By wrong advice, he had filed the M.C.O.P before Special Sub Court, Dindigul. The learned counsel for the petitioner submits that he is not in a position to travel to Dindigul for every hearing. In view of his non-appearance, it was once dismissed for default and it was restored later. Therefore, he seeks to transfer the said M.C.O.P to Motor Accident Claims Tribunal / District Court, Madurai.

3. The first respondent is the owner of the vehicle and though he has been served, there is no appearance either in person or through counsel.



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4. As far as the 2nd respondent/Insurance Company is concerned, they can very well defend the said M.C.O.P even if it is transferred to Madurai.

5. Considering the above said facts, M.C.O.P.No.42 of 2016 pending on the file of the Motor Accident Claims Tribunal / Special Sub Court, Dindigul is hereby withdrawn and transferred to Motor Accident Claims Tribunal / District Court, Madurai.

6. With the above said direction, this Transfer Civil Miscellaneous Petition stands allowed. No costs. Consequently, connected Civil Miscellaneous Petition is closed.

22.02.2023

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

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To

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- 1.The Motor Accident Claims Tribunal /
Special Sub Court,
Dindigul.
- 2.The Motor Accident Claims Tribunal /
District Court,
Madurai.
- 3.The Record Keeper,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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R.VIJAYAKUMAR ,J.

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Order made in
Tr.C.M.P(MD)No.493 of 2022

22.02.2023