



Tr.C.M.P(MD)No.748 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.04.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.748 of 2022

and

C.M.P(MD)No.12013 of 2022

1.J.Mahalakshmi

2.Minor.J.Teena Maklin

... Petitioners/Petitioners

*(Minor 2nd petitioner is represented by
her mother/natural guardian, the 1st
petitioner)*

Vs.

1.J.Sahayamary

2.S.Sugumaran

3.The Branch Manager,
United Indian Insurance Company Limited,
Periyakulam,
Opposite to Convent School,
Theni-625 531.

...Respondents/Respondents

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the case M.C.O.P.No.57 of 2021 on the file of the Sub Judge/Motor Accident Claims Tribunal, Periyakulam, Theni District and to transfer the said case to the III Additional District Judge for PCR Act Cases of Madurai to try along with MCOP.No.2132 of 2021.



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For Petitioners : Mr.V.Sakthivel
For R1 : Mr.G.Aravinthan
For R2 : Mr.A.Shajahan
For R3 : No Appearance

ORDER

The present transfer civil miscellaneous petition has been filed to transfer M.C.O.P.No.57 of 2021 on the file of the Sub Judge/Motor Accident Claims Tribunal, Periyakulam, Theni District to the III Additional District Judge for PCR Act Cases of Madurai and to try along with M.C.O.P.No.2132 of 2021.

2. The petitioners are legal heirs of late.C.John Bosco, who died in an accident and therefore, the petitioner have filed M.C.O.P.No.2132 of 2021 before the III Additional District Judge for PCR Act cases, Madurai. A rival proceeding has been initiated by the first respondent herein in M.C.O.P.No.57 of 2021, which is now pending before the Sub Judge/Motor Accident Claims Tribunal, Periyakulam, Theni District claiming herself to be the wife of Late.C.John Bosco. In the aforesaid proceedings, the petitioners have got themselves impleaded. The



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petitioners herein now seek transfer of M.C.O.P.No.57 of 2021 from the file of the Sub Judge/Motor Accident Claims Tribunal, Periyakulam, Theni District and to be tried along with M.C.O.P.No.2132 of 2021, which is now pending before III Additional District Judge for PCR Act cases, Madurai.

3. Considering the above, the present Transfer Civil Miscellaneous Petition stands allowed by transferring M.C.O.P.No.57 of 2021 from the file of the Sub Judge/Motor Accident Claims Tribunal, Periyakulam, Theni District to the file of the III Additional District Judge for PCR Act cases, Madurai and to be tried along with M.C.O.P.No.2132 of 2021. No costs. Consequently, Connected miscellaneous petition is closed.

11.04.2023

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

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- 1.The Sub Judge/Motor Accident Claims Tribunal,
Periyakulam, Theni District.
- 2.The III Additional District Judge for PCR Act Cases,
Madurai
- 3.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN ,J.

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