



Tr.C.M.P(MD)No.715 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.04.2023**

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

Tr.C.M.P(MD)No.715 of 2022

and

C.M.P(MD)No.11376 of 2022

Mariyadass

...Petitioner/
Respondent No.1

Vs.

1.Villammal

2.Minor Arunama Sakthi
D/o.Lage Thirugnanam,
Represent by her Mother,
Villammal

3.Meena.

...Respondents 1 to 3/
Petitioners

4.The ICICI Lombard General
Insurance Company Limited,
No.84/85 Waltax Road,
Chennai-3.

...Respondent No.4/
Respondent No.2

PRAYER : Transfer Civil Miscellaneous Petition is filed under Section 24 of Code of Civil Procedure, to withdraw the case in M.C.O.P.No.5224



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of 2019 on the file of the Hon'ble Motor Accident Claims Tribunal Small Cause Court, Chennai and transfer the same to any other Court, Motor Accident Claim Tribunal in Ramanathapuram District or Madurai District.

For Petitioner : Mr.R.Alagumani

For R1 to R3 : Mr.S.Sankar

For R4 : M/s.V.Muthukamatchi

ORDER

The present transfer civil miscellaneous petition has been filed to transfer M.C.O.P.No.5224 of 2019 on the file of the Hon'ble Motor Accident Claims Tribunal Small Cause Court, Chennai and transfer the same to any other Court, Motor Accident Claim Tribunal in Ramanathapuram District or Madurai District.

2. The petitioner is the first respondent in M.C.O.P.No.5224 of 2019 before the Motor Accident Claims Tribunal Small Cause Court, Chennai. The aforesaid claim petition was filed by the respondents 1 to 3 herein. The petitioner has now sought for transfer of the above case pending on the file of the Motor Accident Claims Tribunal Small Cause



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Court, Chennai to any other Court such as Motor Accident Claim Tribunal at Ramanathapuram or at Madurai. The only reason given by the petitioner is that the accident took place in Ramanathapuram and the respondents i.e. claimants 1 to 3 are also from Ramanathapuram.

3. The learned counsel for the respondents 1 to 3/claimants 1 to 3 submits that the witness has been already examined on behalf of the claimants including the Insurance Company. It is further submitted that the petitioner was also cross examined on 19.01.2023 and that case was part heard on 20.04.2023 and posted for further arguments on 23.06.2023.

4. It is evident that the case has progressed substantially. It is in the final stage of hearing. Therefore, transfer of case at this stage cannot be allowed. Therefore, the present Transfer Civil Miscellaneous Petition is liable to be dismissed. It stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

27.04.2023

NCC : Yes / No
Index : Yes / No



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Internet : Yes / No
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To

- 1.The Motor Accident Claims Tribunal
Small Cause Court, Chennai.
- 2.The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.SARAVANAN ,J.

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