



TrC.M.P.No.542 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 20.09.2024

Coram

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Tr.C.M.P. No.542 of 2024

Sangeetha

..... Petitioner

-Versus-

1.Edison

2.The Junior Engineer (O & M)
TANGEDCO, Ettayapuram,
Thoothukudi District.

3.The Assistant Executive Engineer (O & M),
TANGEDCO, Ettayapuram,
Thoothukudi District.

4.The Assistant Engineer (O & M),
TANGEDCO, Ettayapuram,
Thoothukudi District.

5.The Superintending Engineer (O & M),
TANGEDCO, Ettayapuram,
Thoothukudi District.

..... Respondents

Petition filed under Section 24 of Code of Civil Procedure, praying to withdraw the proceedings in Indigent Original Petition in I.D.O.P.No.13 of 2020 in O.S. CNR No. TNKI01000518 of 2020 from the file of the Principal District Court, Krishnagiri, to the file of the Principal District Court, Thoothukudi, for disposal.



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TrC.M.P.No.542 of 2024

For Petitioner : Mr.R.Prabakar

For Respondents : No Appearance for RR1 to 5

ORDER

This Transfer Miscellaneous Petition seeks transfer of the case in I.O.P.No.13 of 2020 in unnumbered Original Suit (CNR TNKI01000518 of 2020) pending on the file of the learned Principal District Judge, Krishnagiri, Krishnagiri District, to the file of the Principal District Judge, Thoothukudi, Thoothukudi District.

2. The petitioner is the plaintiff in I.O.P.No.13 of 2020 in I.D.O.P.No.13 of 2020 in O.S. CNR No. TNKI01000518 of 2020. The said proceeding is the one to sue *informa pauperis*. The cause of action seems to be that on 13.10.2017, the petitioner suffered electrocution on account of a high tension (HT) wire that was running near the hostel in which she was staying. On account of the electrocution, she fell off the building and to add to the injuries, she fell on the other electrical wire which was fortunately a low tension (LT) line. On account of this electrocution, she has suffered serious injuries all over her body. She claimed compensation and issued notice to the Electricity Board and since there was no reply, she presented the aforesaid proceedings.



TrC.M.P.No.542 of 2024

3. After the summons had been served and four years after the proceedings had been initiated, the 1st respondent took an objection that the courts in Krishnagiri District do not have jurisdiction as the cause of action arose in Tuticorin. Hence, this transfer petition.

4. Notice was ordered in this transfer petition on 19.06.2024. The respondents have been served but, they have not entered appearance nor they present in person to oppose the petition.

5. Taking into consideration the plea of the petitioner, I am inclined to accept the transfer petition. Accordingly, the case in I.O.P.No.13 of 2020 in unnumbered Original Suit in CNR No.TNKI01000518/2020 is withdrawn from the file of the Principal District Judge, Krishnagiri, and transferred to the file of the Principal District Judge, Tuticorin, Tuticorin District.

6. The Principal District Judge, Tuticorin, will take note of the fact that the Government has already submitted a report about the indigent circumstances of the petitioner on 28.08.2021 and shall proceed with the enquiry from the stage in which it was let off. To make it abundantly clear, the learned Principal District Judge need not call for a fresh report on the indigent circumstances of the petitioner.



TrC.M.P.No.542 of 2024

With the above directions, this transfer civil miscellaneous petition is

allowed. No costs.

Index : yes / no
Neutral Citation : yes / no
Speaking / Non Speaking Order
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20..09..2024

To

- 1.The Principal District Judge, Krishnagiri District.
- 2.The Principal District Judge, Tuticorin District.



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V.LAKSHMINARAYANAN.J.,
kmk

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20..09..2024