



**TR.CMP(MD).No.236 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**WEB COPY**

**DATED : 27.03.2024**

**CORAM :**

**THE HON'BLE MR JUSTICE G.ILANGO VAN**

**TR.CMP(MD).No.236 of 2023 and**  
**CMP(MD).No.5197 of 2023**

The New India Assurance Company Limited,  
Divisional Office,  
Jerome Building, Fort Station Road,  
Trichy.

... Petitioner

**Vs.**

1.V.Murugan  
2.Y.Nasar  
3.N.Abuthakeer  
4.M/s. United India Insurance Company Ltd.,  
Branch Office 78, Cauvery Nagar,  
Kamarajar Salai,  
Kulithalai, Karur District.

... Respondents

**PRAYER:-** Petition filed under Section 24 C.P.C., to withdraw MCOP.No. 302 of 2020 on the file of III Additional Subordinate Judge / MACT, Tiruchirappalli and transfer the same to the file of the Subordinate Judge / MACT, Kulithalai, Karur District to be tried along with MCOP.No.151 of 2018.

For Petitioner : Mr.N.Dilipkumar

For Respondent : Mr.C. Jawahar Ravindran



**TR.CMP(MD).No.236 of 2023**

## **ORDER**

WEB COPY

This Transfer Civil Miscellaneous Petition has been filed to withdraw and transfer the case in MCOP.No.302 of 2020 on the file of III Additional Subordinate Judge / MACT, Tiruchirappalli to the file of Subordinate Judge / MACT, Kulithalai, Karur District to be tried along with MCOP.No.151 of 2018.

2. The learned counsel appearing for the petitioner submitted that in respect of the very same accident another MCOP.No.151 of 2018 is pending on the file of the Subordinate Judge / MACT, Kulithalai, Karur District. In such circumstances, he filed the present petition seeking to transfer the MCOP.No.302 of 2020 pending on the file of III Additional Subordinate Judge / MACT, Tiruchirappalli to the file of the Subordinate Judge / MACT, Kulithalai, Karur District to be tried along with MCOP.No. 151 of 2018.

3. Even though the notice is served upon the respondents 1 to 3, they have not chosen to appear before this Court either in person or through Advocate. So after hearing the learned Counsel for the petitioner, this order is passed.



**TR.CMP(MD).No.236 of 2023**

4. Considering the facts and circumstances and also considering the fact that two claim petitions are pending before the various Courts for the very same accident, this Court is inclined to allow this petition.

5. Accordingly, this Transfer CMP is allowed and the MCOP.No.302 of 2020 pending on the file of III Additional Subordinate Judge / MACT, Tiruchirappalli is ordered to be withdrawn and transferred to the file of the Subordinate Court / MACT, Kulithalai, Karur District to be tried along with MCOP.No.151 of 2018. The III Additional Subordinate Judge / MACT, Tiruchirappalli is directed to transmit the records pertaining to the case in MCOP.No.302 of 2020 pending on his file to the transferee Court within a week from the date of receipt of a copy of this order. No costs. Consequently, the connected Miscellaneous Petition is closed.

**27.03.2024**

Internet : Yes / No

Index : Yes / No

trp



**TR.CMP(MD).No.236 of 2023**

WEB COPY

To

1. The III Additional Subordinate Judge / MACT, Tiruchirappalli
2. The Subordinate Judge / MACT, Kulithalai, Karur District



WEB COPY



**TR.CMP(MD).No.236 of 2023**

**G.ILANGO VAN,J.**

trp

**TR.CMP(MD).No.236 of 2023 and**  
**CMP(MD).No.5197 of 2023**

**27.03.2024**