



Tr.C.M.P.(MD)No.560 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2024

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Tr.C.M.P.(MD)No.560 of 2024
and
C.M.P.(MD)No.13332 of 2024

S.Manimala

... Petitioner

Vs.

1.N.Nagendran

2.N.Nagalakshmi

... Respondents

Prayer : This Transfer Civil Miscellaneous Petition filed under Section 24 r/w 151 C.P.C., to withdraw the case on the file of the Motor Accident Claims Tribunal (Sub Court), Thirumangalam in M.C.O.P.No.13 of 2023 and transfer the same to the Motor Accident Claims Tribunal (Special District Judge), Madurai and to try along with M.C.O.P.No.1029 of 2023.

For Petitioner : Mr.D.Srinivasa Ragavan

For Respondents : No appearance



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ORDER

The Transfer Civil Miscellaneous Petition is filed to withdraw the case on the file of the Motor Accident Claims Tribunal /Subordinate Court, Tirumangalam, in M.C.O.P.No.13 of 2023 and transfer the same to the Motor Accident Claims Tribunal / Special District Court to deal with MCOP cases, Madurai to try along with M.C.O.P.No.1029 of 2023.

2. Despite receipt of Court notice, the respondent has not entered into appearance.

3. Heard the learned counsel appearing for the petitioner.

4. It is evident from the records that an accident was occurred on 15.10.2022 at Tirumangalam to Dindigul four way road at Thoppur Palam and in that accident, the respondents' mother Sonaiyammal and sister Vennila died. It is not in dispute that the respondents have filed a claim petition in M.C.O.P.No.13 of 2023 seeking compensation for the death of their mother and the same is pending on the file of the Motor Accident Claims Tribunal / Subordinate Court, Tirumangalam, Madurai District but



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they have filed another claim petition in M.C.O.P.No.1029 of 2023 claiming compensation for the death of their sister and the same is pending on the file of the Motor Accident Claims Tribunal / Special District Court to deal with MCOP cases, Madurai. In both the cases, the petitioner was made as respondent.

5. Considering the above facts and circumstances of the case and also taking note of the fact that both the accident referred in the above claim petitions and also the parties are the same and moreover, the respondents have themselves filed the above two claim petitions in two different Courts, this Court is of the view that the case in M.C.O.P.No.13 of 2023 is ordered to be withdrawn from the file of the Motor Accident Claims Tribunal / Subordinate Court, Tirumangalam, Madurai District, and transfer the same to the file of the Motor Accident Claims Tribunal / Special District Court to deal with MCOP cases, Madurai. Accordingly, the learned Motor Accident Claims Tribunal / Subordinate Judge, Tirumangalam, Madurai District, is hereby directed to transmit the entire records in M.C.O.P.No.13 of 2023 to the file of the Motor Accident Claims Tribunal / Special District Court to deal with MCOP cases, Madurai,



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within a period of 10 days from the date of receipt of a copy of this order and on receiving the case records, the learned Motor Accident Claims Tribunal / Special District Judge to deal with MCOP cases, Madurai, is directed to take up the petition on file and proceed in accordance with law.

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

11.12.2024

NCC :yes/No
Index :yes/No
Internet:yes/No
csm

To

1. The Motor Accident Claims Tribunal /
Subordinate Judge, Tirumangalam,
Madurai District.
2. The Motor Accident Claims Tribunal /
Special District Judge to deal with MCOP cases,
Madurai.
3. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Tr.C.M.P.(MD)No.560 of 2024
and
C.M.P.(MD)No.13332 of 2024

Dated : 11.12.2024