IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

WEDNESDAY, THE THIRD DAY OF JANUARY TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SMT JUSTICE K. SUJANA

TRANS. CIVIL MISC.PETITION NO: 474 OF 2023

Between:

Kurumalla Rajaiah, S/o Chandraiah, Aged 62 years, Occ. Agriculturist, Kalvacherla of Ramagiri Mandal of Peddapalli District

...PETITIONER

AND

1. Mrs Silviri@ Silivery Shayalaj, W/o Ravi Owner of the Vehicle bearing No. TS 02 EC-5110, 4-2-107, Indira Nagar Peddapalli Town and District.
2. United India Insurance Co. Ltd, Represented by its Divisional Office H.No. 2-6-299, A.K Estate, Ist Floor, Mukkarampura, Karimnagar 505001 Policy No. 0523813119P105289620 from 25-07-2019 to 24-07-2020.)

...RESPONDENTS

Petition Under Section 24 of the C.P.C. Praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to transfer M.V.O.P. No.103 of 2021 on the file of Honble Principal District Judge (MACT) at Karimnaiar to the Principal District Judge Court, Peddapalli.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Stay all further proceeding in M.V.O.P. No.103 of 2021 on the file of Hon'ble Principal District Judge (MACT) at Karimnagar, pending disposal of the Petition.

Counsel for the Petitioner: SRI MOHD IMTIAZ UDDIN SIDDIQUE

Counsel for the Respondents: NONE APPEARED

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE K. SUJANA

Tr.C.M.P.No.474 OF 2023

ORDER:

This Transfer Civil Miscellaneous Petition is filed under Section 24 of the Code of Civil Procedure, by the petitioner, seeking the Court to transfer M.V.O.P.No. 103 of 2021 from the Court of the learned Principal District Judge(MACT) at Karimnagar, to the Court of the learned Principal District Judge, Peddapalli.

2. Heard Sri Mohammed Imtiyaz Uddin Siddiqui, learned counsel for the petitioner. None appeared on behalf of the respondents even after service of notice.

3. Main averments of the affidavit, filed in support of the petition, are that this M.V.O.P. No. 103 of 2021 is filed claiming compensation for injuries sustained by the petitioner on 21-11-2019, when he was going on cycle from agricultural field to his house, a rider on scooty bearing No. TS 02 EC 5110 was driven in a rash and negligent manner with high speed and hit him from backside due to which he fell down and sustained serious injuries.

4. Learned counsel for the petitioner submitted that due to this accident, the petitioner sustained 55% disability and is unable to climb stair case and attend the Court which is at first floor, as such, requested to transfer the M.V.O.P. No. 103 of 2021 to the learned Principal District Judge Court, Peddapalli which is on the ground floor and is also near to his residence.

5. Having considered the facts and circumstances of the case and the submissions made by learned counsel for the petitioner, since the petitioner is not in a position to climb the stair case, this Court deems it appropriate to transfer the M.V.O.P. No. 103 of 2021 from the Court of the learned Principal District Judge(MACT) at Karimnagar, to the Court of the learned Principal District Judge, Peddapalli.

6. Accordingly, the Transfer Civil Miscellaneous Petition is allowed. M.V.O.P. No. 103 of 2021 stands transferred from the Court of the learned Principal District Judge(MACT) at Karimnagar, to the Court of the learned Principal District Judge, Peddapalli. The Court concerned is hereby directed to transmit the entire case file relating to M.V.O.P. No. 103 of 2021, after duly indexed, within a period of one (1) month from

the date of receipt of a copy of this Order, under intimation to the other side. There shall be no order as to costs.

Pending Miscellaneous Applications, if any, shall stand closed.

SD/- P. PADMANABHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal District Judge(The Chairman, Motor Accident Claims Tribunal) at Karimnagar.
2. The Principal District Judge, Peddapalli.
3. One CC to Sri Mohd Imtiaz Uddin Siddique, Advocate [OPUC]
4. Two CD Copies

Plp/jak

HIGH COURT

DATED:03/01/2024



ORDER

TRCMP.No.474 of 2023

ALLOWING THE TR.C.M.P.

6 copies
14/3/24