



WEB COPY

TR CMP No. 1323 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-02-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

TR CMP No. 1323 of 2025

and

**CMP No. 30292, 30294 of 2025 and
CMP.No.2692 of 2026**

The Manager,
The New India Assurance Co. Ltd., No. 123/1,
First Floor, Muthukadai, Ranipet-401.

..Petitioner

Vs

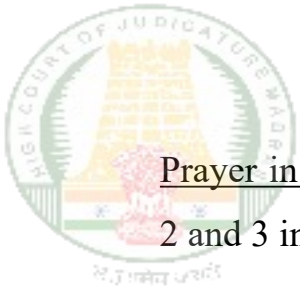
S.Kailasam

..Respondent

Prayer in TR CMP No. 1323 of 2025: Petition filed under section 24 of CPC to withdraw the MCOP No. 167/2021, pending on the file of I Additional District Judge, Ranipet and transfer the same to the file of Principal Subordinate Judge, Cheyyar.

Prayer in CMP No. 30294 of 2025: Petition to stay all the further proceedings in MCOP No. 02/2021 pending before the Principal Subordinate Judge, Cheyyar pending disposal of the above transfer petition.

Prayer in CMP No. 30292 of 2025: Petition to Stay all the further proceedings in MCOP No. 167/2021, pending on the file of I Additional District Judge, Ranipet pending disposal of the above transfer petition.



Prayer in CMP.No.2692 of 2026: Petition to implead the proposed respondents 2 and 3 in Tr.CMP.No.1323 of 2025.

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For Petitioner: Mr.T.Jayaraman

For Respondent: Mr.Sairaman

ORDER

Heard

2. This Transfer Civil Miscellaneous Petition is filed by the insurance company seeking withdrawal of M.C.O.P. No.167 of 2021 from the file of the I Additional District Judge, Ranipet and transfer of the same to the file of the Principal Subordinate Judge, Cheyyar.
3. The case of the petitioner, in brief, is that the respondent's wife sustained injuries in a road accident on 25.08.2020 while travelling in the respondent's motorcycle bearing Reg.No. TN-73-AX-0616, and she succumbed on 26.08.2020. It is also stated that the respondent has been charge-sheeted for the offences under Sections 279 and 304(A) IPC.
4. It is further stated that the parents of the deceased have filed M.C.O.P. No.02 of 2021 before the Principal Subordinate Judge, Cheyyar, claiming compensation of Rs.32,00,000/-. On the other hand, the respondent has filed a separate claim in M.C.O.P. No.167 of 2021 before the I Additional



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District Judge, Ranipet, claiming compensation of Rs.75,00,000/- for the very same death. The petitioner would submit that for the same cause of action, two claim petitions are pending at two different fora, viz., Cheyyar and Ranipet.

5. The learned counsel for the petitioner submitted, that the accident is stated to have occurred within Ranipet jurisdiction and the parties are also connected to Ranipet; however, considering the pendency of connected proceedings, to avoid multiplicity and conflicting determinations, it would be appropriate that the matters are tried before one forum. It is also submitted that the proceedings are at an advanced stage and the petitioner has raised issues including maintainability before the Tribunal at Ranipet; and therefore, for the ends of justice, the matter may be placed before one competent Tribunal.
6. The learned counsel for the respondent opposed the transfer.
7. This Court has considered the rival submissions. It is not in dispute that two separate claim petitions have been presented arising out of the same accident and the same death, one pending before the Principal Subordinate Judge, Cheyyar and the other before the I Additional District Judge, Ranipet. When parallel proceedings for compensation arising from the same cause of action are pending before different fora, there exists a real likelihood of inconsistent findings/awards, besides avoidable multiplicity



of proceedings. Consolidation before one forum would subserve the ends of justice.

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8. Accordingly, Tr.C.M.P. No.1323 of 2025 is allowed. M.C.O.P. No.167 of 2021 on the file of the I Additional District Judge, Ranipet, is withdrawn and transferred to the file of the Principal Subordinate Judge, Cheyyar. The I Additional District Judge, Ranipet, shall transmit the entire records to the Principal Subordinate Judge, Cheyyar, within three (3) weeks from the date of receipt of this order and the Principal Subordinate Judge, Cheyyar shall dispose of the matter in accordance with law, as expeditiously as possible, uninfluenced by any observations made in this order. C.M.P. Nos.30292 and 30294 of 2025 is closed. C.M.P.No.2692 of 2026 is dismissed as not pressed. There shall be no order as to costs.

06-02-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SHL

To

1. The I Additional District Judge, Ranipet
2. The Principal Subordinate Judge, Cheyyar.



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DR.A.D.MARIA CLETE J.

SHL

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