

KAMS080050672024



**BEFORE THE MOTOR ACCIDENTS CLAIMS
TRIBUNAL AT MYSURU**

**(IN THE COURT OF ADDITIONAL SMALL CAUSES
AND SENIOR CIVIL JUDGE, AT MYSURU)**

PRESENT

**Smt. PRATHIBHA D.S
B.A., LL.B.**

**JUDGE, ADDITIONAL COURT OF SMALL CAUSES
AS A PRESIDING OFFICER,
MOTOR ACCIDENTS CLAIMS TRIBUNAL, MYSURU.**

DATED THIS THE 28th DAY OF JANUARY 2026

MVC NO.2677/2024

Smt.Pavithra

... Petitioner

-Versus-

K.S.R.T.C

... Respondent

I.A. NO.I

K.S.R.T.C

: Respondent

-Versus-

Smt.Pavithra

: Petitioner

**ORDER ON INTERLOCUTORY APPLICATION FILED
UNDER SECTION 166 (2) (1) OF IMV ACT AND
UNDER ORDER VII RULE 11(d) OF CPC R/W
SECTION 151 OF CPC :-**

Counsel for the respondent filed the present application Under Section 166 (2) (1) Of IMV Act And Under Order VII Rule 11(d) Of CPC R/W Section 151 Of CPC praying to dismiss the claim petition as it is not coming under the jurisdiction of this tribunal, in the interest of justice and equity.

2. In the accompanying affidavit sworn by the Respondent it is stated that, the respondent department is related to Chamarajanagar division and the vehicle is related to Chamarajanagar division. The applicant has stated that the accident occurred within the Chamarajanagar limits and as stated by the

applicant, the case has been registered at the Chamarajanagar Traffic Police Station.

3. Further submitted that, since the transport corporation is related to the Chamarajanagar division, the applicant has to file the application for compensation within the Chamarajanagar limits. Since the applicant's place of residence falls within the limits of Tamil Nadu, as stated in her title, the case should be filed within the jurisdiction of the Tamil Nadu Court. Hence, prayed to dismiss the petition.

4. The petitioner filed objection contending that, the application is not maintainable either in law or on facts of the case. Hence, the same is liable to be dismissed in limine. The main office of the respondent is situated at Bengaluru and the Branch office is at Mysuru. Therefore, the petition is maintainable. Moreover the petition also residing in Mysuru district. Hence, prays to dismiss the application.

5. Heard both side. Perused the materials on record.

6. The points that would arise for my consideration are as follows;

1. Whether the Respondent /Applicant has made out grounds to reject the petition as prayed for?
2. What order ?

7. My findings to the above points are as under:

Point No.1 : In the "**Negative**"

Point No.2 : As per the final order for the following :

REASONS

8. **Point No.1:** The petitioner has filed this petition for the compensation for the injuries sustained by her in the road traffic accident. It is the contention of Respondent that the alleged accident occurred in Chamarajanagara limits. The respondent vehicle belongs to Chamarajanagara division. The petitioner his resident in Tamilnadu. As such, the petition as to be filed in Tamil Nadu or in Chamarajanagara Courts.

9. On perusal of the records it is seen that, the respondents branch also situated at in Mysuru. Such being the case the petition is maintainable. Hence with these observation this tribunal is of the considered view that the respondent has not made out grounds to

reject the petition. **Hence, Point No.1 answered in the negative.**

10. **Point No.2:** In view of above said discussion in Point No.1, I proceed to pass the following:

O R D E R

IA I filed by respondent R/W Section 166 (2), (1) Of IMV Act And Under Order VII Rule 11(d) Of CPC R/W Section 151 Of CPC is hereby dismissed.

No order as to cost.

(Dictated to the Stenographer directly on computer, typed by her, revised, corrected and then pronounced by me in the open Court, on this the 28th day of January, 2026)

-Sd/-

**(PRATHIBHA D.S)
Judge, Addl. Court of
Small Causes & MACT,
MYSURU.**