

**A. No.7253 of 2015
in
C.S. No. D42130 of 2015**

K. RAVICHANDRABAABU,J.

This application is filed seeking for grant of leave to sue the respondent herein before this Court as admittedly, the respondent is located outside the jurisdiction of this Court.

2. The applicant as the plaintiff seeks to file the present suit for declaration for the termination of the dealership between the plaintiff and the defendant on 08.07.2014, as wrong and consequently, to direct the defendant to pay the plaintiff a sum of Rs. 60,61,400/- as compensation for such termination and for other reliefs. It is stated that the subject matter is certain products to be marketed in the southern part of this country including the place which comes under the jurisdiction of this Court. It is further contended that already the respondent has filed another suit in C.S. No.405 of 2014, before this Court against the present plaintiff alleging against the passing off action and the said suit is pending before this Court. Therefore, it is contended that the part of cause of action has arisen for the plaintiff who is admittedly, carrying on it business activities at Chennai within the jurisdiction of this Court, to file the present suit against the respondent challenging the termination of the dealership as well as seeking for compensation.

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3. Considering the above stated facts and circumstances, this Court is of the view that the plaintiff who is doing the business at Chennai within the jurisdiction of this Court and having suffered the termination of dealership in respect of marketing certain products within the jurisdiction of this Court, is entitled to file the present suit against the respondent as the part of cause of action has arisen for the plaintiff/applicant against such respondent, even though the respondent is located outside the jurisdiction of this Court. Accordingly, the present application is allowed.

30.10.2015

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