

A.No.3806 of 2016**M.M.SUNDRESH, J.**

This application has been filed by the applicant seeking grant of leave to sue the third respondent.

2. The suit is filed for declaration and mandatory injunction. The said prayer has been sought for on the ground that contrary to the agreement between the applicant and respondents 1 and 2, which in pursuance to the loan granted by the applicant, a charge has been created in favour of the 3rd respondent as against the applicant.

3. The learned counsel for the applicant, thus, submits that loan was given and the transaction took place within the territorial jurisdiction of this Court. He further submits that leave is sought for only on the ground that 3rd respondent is residing outside the jurisdiction of this Court and respondents 1 and 2 are the main parties, who are residing within the territorial jurisdiction of this Court. Thus, he prays for grant of leave.

4. Considering the submissions made by the learned counsel for the applicant and taking note of the averments made in the plaint, leave is granted.

05.08.2016

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