

A No.4208 of 2016

The Hon`ble Mr Justice M.M.SUNDRESH

A.S. Hansraj

Member of Lions Club, No.7, Rohini
Garden,

Raja Annamalaipuram, Chennai-
600 028. and another.

Vs

M/s.Adaniwilmar Ltd.,

Having corporate office at. Fortune
House, Navrangapura Railway Crossing,
Ahmedabad-380 009, Gujaraj. and another.

These applications have been filed seeking leave of this Court under Section 91 of the Code of Civil Procedure, 1908. The sum and substance of the applicant is that the advertisements made by the respondents would come within the mischief of nuisance to the public in general. As the leave is required under Section 91 of the Code of Civil Procedure, 1908, the present applications have been filed.

2. The learned counsel for the applicant submits that wider import will have to be given to the definition of word "nuisance" and therefore, the enquiry required under Section 91 of the Code of Civil Procedure by way of leave is very limited. He further submits that the first defendant is situated outside the territorial jurisdiction of this Court though the product is being sold within the territorial jurisdiction of this Court, the leave is also sought on that ground.

M.M.SUNDRESH

3. As there are allegations about the nuisance being committed within the territorial jurisdiction of this Court by the respondents, this Court is inclined to grant leave in both the applications.

[M M S J]

26/08/2016

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