

A.No.2085 of 2019

in

C.S.No.51 of 2015

R.SUBRAMANIAN, J.,

The application has been taken out seeking an amendment of the plaint to increase the value of the suit from Rs.25,10,000/- to Rs.1,00,10,000/-.

2. This application was filed on 14th March 2019. In the mean time the Chennai City Civil Court Amendment Act 45 of 2018 was notified and it came into force with effect from 01.02.2019. As a result of the amendment, all the suits, the value of which are Rs.1,00,00,000/- or below Rs.1,00,00,000/- stand transferred to the City Civil Court.

3. In view of the said amendment, the learned counsel for the respondents would contend that the application for amendment of the plaint to increase the value cannot be heard by this Court and the same has also to be transferred to the City Civil Court to be decided by the City Civil Court.

4. The learned counsel for the respondents would rely upon the judgment of the Division Bench in *Parklane Consultants Ltd., vs. International Industry Equipment Ltd., and others* reported in **2011 (3)**

<http://www.judis.nic.in> **CTC 258**, wherein, the Division Bench had held that, since the value of the

suit which was subject matter of the appeal before the Division Bench was less than Rs.25,00,000/-, the suit will have to be transferred to the City Civil Court and as such after the notified date, this Court will not have jurisdiction to consider any application and pass orders thereon.

5. In view of the said pronouncement of the Division Bench, according to the counsel for the respondents, this Court has no jurisdiction to consider the application for amendment.

6. Contending contra, the learned counsel appearing for the applicants would submit that the Full Bench of the Delhi High Court in ***Subhashini Malik Vs. S.K.Gandhi and others*** reported in ***2016 SCC OnLine Del 5058*** had taken a contrary view.

7. I do not think that the submission of the counsel for the applicants can be countenanced since the pronouncement of a Division Bench of this Court is binding on me. Hence, this application for amendment is also directed to be transferred to the City Civil Court along with the suit.

25.04.2019

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R.SUBRAMANIAN, J.,

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