

Application No.3807 of 2019**Krishnan Ramasamy, J.,**

This Application has been filed seeking to grant leave to the Applicant/Plaintiff to institute the suit as against the Respondent/Defendant before this Court.

2. Heard the learned counsel for the Applicant.

3. In paragraph 6 of the affidavit filed in support of this petition, it is stated as follows:

"6. The cause of action for the suit arose at Chennai within the jurisdiction of this Court where the LOI/Offer Letter dated 02.12.2016 was accepted by the Applicant/Plaintiff. The Applicant had supplied power from 1st March 2017 to 31st March 2017 and raised Bill dated 04.04.2017 at Chennai for Rs.69,15,90,029/- on the Respondent for the Power supplied. As per the terms of LOI and Bills, the amounts are payable by the Respondent to the Applicant's Bank Account at Chennai. The Respondent had made part payments on various dates in respect of the Bill to the Applicant's Bank Account at Punjab National Bank, Pursawalkam Branch, Chennai. The Respondent failed to pay the amount payable under Bill dated 04.04.2017 on Due date and the Applicant raised supplementary invoices at Chennai for late payment charge. The Respondent failed to pay the balance amount due and payable under the Bill dated 04.04.2017 raised by the Applicant together with surcharge for late

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payment. As the Respondent has failed to pay the amounts due to the Applicant, the Applicant is filing the suit for recovery of balance amounts due and payable under the Bill dated 04.04.2017 together with surcharge/Interest against the Respondent before this Court. The Plaintiff carries on business at Chennai. However, the Respondent is carrying on business outside the Original Civil Jurisdiction of this Court. Since, a part of the cause of action for the above suit has arisen within the jurisdiction of this Hon'ble Court and the Applicant is seeking leave to institute the above suit against the Defendant before this Court."

4. This Court is satisfied with the reasons stated in the affidavit filed in support of this petition.

5. In view of the submissions made by the learned counsel for the Applicant and also having been satisfied with the reasons stated in the affidavit filed in support of this petition, this Application filed to grant leave to the Applicant/Plaintiff to institute the suit as against the Respondent/Defendant before this Court is allowed.

11.06.2019

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