

A.No.8228 of 2019
in
CS.SR.No.123857 of 2019
K.KALYANASUNDARAM, J

In a suit filed for partition, the plaintiff is filed this application seeking leave to sue against the respondents 2, 4 & 6/defendants 2, 4 & 6.

2. Mr.S.Shanmugasundaram, the learned counsel appearing for the applicant would submit that item No.1 of the suit property is situated within the jurisdiction of this Court, while Item Nos.2 and 3 of the suit property are situated outside the jurisdiction. It is further contended that the plaintiff and the defendants 2 and 3 are residing within the jurisdiction of this Court. The defendants 2 to 4 have filed OP No.269 of 2017 seeking Letters of Administration of the Will and on objection being raised by the plaintiff, it was converted into TOS and the same is pending before this Court.

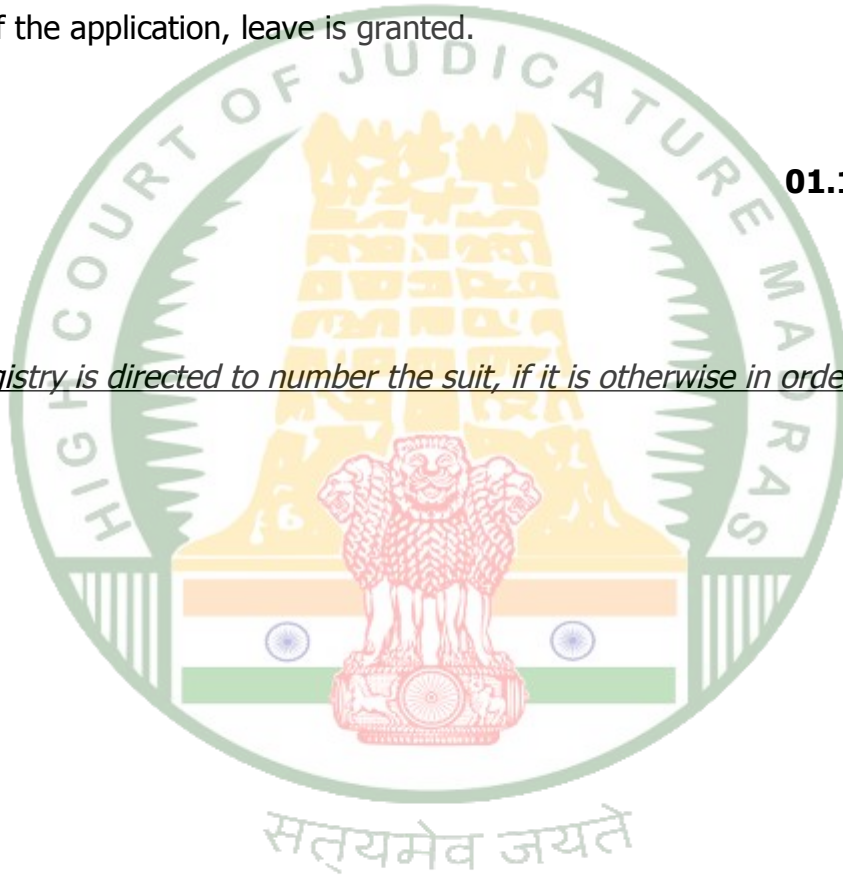
3. According to the learned counsel, the entire cause of action arose within the jurisdiction of this Court. This application has been filed since some of the items of the suit scheduled property are situated outside the jurisdiction of this Court and the defendants 2, 4 and 6 are also residing outside the jurisdiction of this Court.

4. Considering the submissions made by the learned counsel for the applicant and also considering the averments made in the affidavit filed in support of the application, leave is granted.

01.11.2019

KMI

Note: Registry is directed to number the suit, if it is otherwise in order.



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