

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 27TH DAY OF FEBRUARY 2020

THE HON'BLE MR. JUSTICE SENTHILKUMAR RAMAMOORTHY

A.NO.887 OF 2020
IN
C.S.DIARY NO.11092 OF 2020

THAMIZHNADU BRAHMIN ASSOCIATION (THAMBRAAS)

Established on 16/11/1980

represented by Mr.N.Narayanan State

President having office

at Flat No.16 1st Floor

Vishwakamal, New No.62,

R.K.Mutt Road,

Mylapore, Chennai - 600 004.

..Applicant/Plaintiff

-VS-

1. MR.N.HARIHARAMUTHU

S/o.Mr.Narayana Iyer

5/1,3rd Cross Street, Anna Nagar,

Palani, Pincode -624 601.

2. INDIAN BANK

Rep.by its Branch Manager

Abiramapuram branch

No.63 C.P.Ramasamy Road,

Abiramapuram,

Chennai-600 018.

..Respondents/Defendants

Application praying that this Hon'ble Court be pleased to grant leave to permit the Applicant/Plaintiff to file the present suit against the 1st Respondent/Defendant by granting leave to sue

Application coming on this day before this court for hearing and the Court made the following order:

This application is filed for leave to file the suit against the first respondent/first defendant before this Court.

2. I heard the learned counsel for the applicant/plaintiff.

3. The learned counsel for the applicant submitted that the suit is for a declaration that the letter dated 03.09.2019 issued by the second defendant at the instance of the first defendant is not binding on the plaintiff and for damages and consequential mandatory injunction against the second defendant. He further submits that the second defendant carries on business within the jurisdiction of this Court. In view of the fact that the first defendant resides outside the jurisdiction of this Court, the present application is filed.

4. I considered the submissions of the learned counsel and examined the plaint and affidavit in support of this application.

5. I find that the suit is laid so as to declare that the letter dated 03.09.2019 by the second defendant is not binding on the plaintiff and also for damages from both the defendants and for mandatory injunction directing the second respondent to permit the plaintiffs to transfer the accounts. Therefore, a substantial part of the cause of action has arisen within the jurisdiction of this Court where the second defendant also carries

on business. Accordingly, this application is allowed and the applicant is permitted to file a suit against the first respondent/first defendant before this Court.

Sd/-S.K.R.J.

27.02.2020

//Certified to be true copy//

Dated this the day of 2020.

COURT OFFICER

Su.02.03.2020

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