

A.No.1754 of 2021

V.PARTHIBAN,J

Seeking to grant leave to the applicant to institute the suit against the defendants, the applicant/plaintiff has come up with this application.

2. The applicant is the plaintiff in a suit for recovery of money.

3. Learned counsel for the applicant/ plaintiff would submit that the first respondent entered into loan agreement with the applicant in the registered office at Numbambakkam. The 2nd and 3rd respondents, who stood as guarantors, signed and executed the deed of guarantee in the registered office at Nungambakkam, Chennai. Though the mortgaged property is situate at Tiruvallur, outside the jurisdiction of this Court, the part of cause of action for the present case has arisen in Chennai, within the territorial jurisdiction of this Court. It is a suit for recovery of amount based on the mortgage property and not a suit for land. Leave is sought on the ground that the respondents reside and carry on business outside the territorial jurisdiction of this Court.

4. Considering the submissions made by the learned counsel for the applicant/plaintiff and also going through the averments made in the plaint, leave is granted.

21.04.2021

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