

**Application No.3459 & 3460 of 2021 in**  
**C.S.D.No.111301 of 2019**

**V.PARTHIBAN.,J.**

Seeking leave to file suit against 6th, 7th, 8th and 9th respondents/defendants who are residing outside the jurisdiction of this Court and seeking leave to file suit for partition of Items 2 to 16 of the suit schedule properties, which lies outside the jurisdiction of this Court, along with other suit properties, the applicants/plaintiffs have come up with this application.

2. The suit is filed for declaration and permanent injunction.

3. Learned counsel for the applicants submitted that all the defendants except defendant Nos.6, 7, 8 & 9 reside outside the jurisdiction of this Court and they are the necessary and proper parties to the suit. He would also submit that Item 1 of the schedule mentioned property lies within the jurisdiction of this Court and all the other items in the suit schedule property lies outside the jurisdiction of this Court. To avoid multiplicity of proceedings, leave is necessary to file single suit against all the defendants and in respect of all the items of suit properties, the learned counsel contended.

4. Considering the submissions made by the learned counsel for the applicants and taking note of the averments made in the plaint, leave is granted.

mrm

**29.09.2021**

**V.PARTHIBAN.,J.**

mrn



A.No.3459 & 3460 of 2021

WEB COPY

29.09.2021