



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 9th DAY OF JULY 2021

THE HON'BLE MR. JUSTICE VPARTHIBAN

A.No.2130 of 2017
in
C.S.D.49059 of 2016

Bhanumathy,
D/o.D.Athinarayan,
Flat No.1, Royal Vijay Enclave,
No.1, Janakiraman Street,
Krishna Road,
New Perugulathur,
Chennai-600 063.

..Applicant/Plaintiff

-Versus-

Bhagyalakshmi,
W/o.V.Mahadeva Iyer,
New No.52, Old No.22/1A, Krishna Road,
New Perugulathur,
Chennai-600 063.

..Respondent/Defendant

Application praying that this Hon'ble Court be pleased to grant leave to sue the defendant who resides outside the jurisdiction of this Hon'ble Court before this Hon'ble Court.

Application coming on this day before this court for hearing, the

Court made the following order:-



WEB COPY

This application has been filed seeking leave to sue the defendant, who resides outside the jurisdiction of this Court.

2. The suit is filed for recovery of money on the basis of the sale agreement, dated 08.03.2016, between the plaintiff and the defendants. The subject property is situated outside the territorial jurisdiction of this Court. Both the plaintiff and the defendant are residents of the place falling outside the territorial limits of this Court. Further, no cause of action has been stated to have arisen within the jurisdiction of this Court, in the plaint relating to the cause of action paragraph.

3. From the averments made in the affidavit filed in support of the application and also on a perusal of the plaint, it is clear that no part of cause of action had arisen within the territorial jurisdiction of this Court. It is also to be mentioned here that both the plaintiff and the defendant reside outside the jurisdiction of this Court.

4. Moreover, the pleadings and documents filed in support of the plaint reveal that even minuscule part of cause of action has not arisen within the jurisdiction of this Court.



WEB COPY 5. Hence, this application is dismissed.

6. At this, the learned counsel for the plaintiff requested this Court to direct the Registry to return the original documents including the plaint, to enable the plaintiff to pursue her remedies before the competent Court. Therefore, Registry is directed to return the original documents including the plaint.

7. It is open for the plaintiff to pursue her remedy before the competent Court having jurisdiction over the matter.

Sd./-V.P.N.J
09.07.2021

//Certified to be true copy//
Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

JJ 28/07/2021