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A.No.574 of 2022 in
CS.D2576 of 2022

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P.VELMURUGAN, J.

This application has been filed by the applicants/plaintiffs for grant of leave to file a suit for partition.

2. Learned counsel for the applicants/plaintiffs would submit that out of the seven items mentioned in the schedule to the plaint, one item is situated at Pallikaranai which is outside the jurisdiction of this Court and hence, the applicants/plaintiffs have filed this application for grant of leave to file a suit for partition with regard to the subject property.

3. Learned counsel for the respondent would submit that no property is situated at Pallikaranai and therefore, there is no need for this application for want of leave.

4. Heard and perused the records.

5. Whether the property is available or not is a matter for



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adjudication and cannot be decided at this stage. For grant of leave application, this Court has to see only the plaint averments. On perusal of the plaint averments, one of the items mentioned in the schedule to the plaint viz., item No.5 is situated at Pallikaranai which is outside the territorial jurisdiction of this Court and all other items are within the territorial jurisdiction of this Court. Hence, this application is allowed.

6. Registry is directed to take the suit on file, if it is otherwise in order and place the same before the Assistant Registrar (Original Side) for service of summons.

06.04.2022

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