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O.P.No.2888 & 3451 of 2022

A.Nos.2888 & 3451 of 2022
in
C.S.DR No.78306 of 2021

KRISHNAN RAMASAMY.J.

A.No.2888 of 2022 has been filed to grant leave to sue by enabling the applicant /plaintiff to file the suit before this Court.

2. A.No.3451 of 2022 has been filed, seeking to grant leave to sue by enabling the applicant /plaintiff to file the aforesaid suit before this Court insofar as the first respondent/first defendant is concerned with regard to the schedule mentioned B, C, E & D properties which are situated outside the jurisdiction of this Court.

3. The learned counsel for the applicant/plaintiff has submitted that the suit was filed for partition. The first respondent/defendant, who is none other than the eldest son of the applicant and is residing outside the jurisdiction of this Court. The suit schedule mentioned properties viz., B, C, D, E are situated outside the jurisdiction of this Court while 'A' schedule property is situated within the jurisdiction of this Court. Therefore, the present applications have been filed.



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4. Considering the submission made by the learned counsel for the applicant/plaintiff and since the first respondent /defendant is residing at Medavakkam, which is outside the jurisdiction of this Court and the major cause of action arose at Chennai, which is within the jurisdiction of this Court, this Court is of the view that it is a fit case to grant leave to institute the suit against the 1st respondent/defendant, who is residing outside the jurisdiction of this Court and in respect of the properties which are situated outside the jurisdiction of this Court.

5. Accordingly, leave is granted. These applications are allowed.

26.08.2022

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