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A.Nos.5634, 5355 of 2022

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in C.S.No.D114199 of 2022

SENTHILKUMAR RAMAMOORTHY, J.

In a proposed suit for partition, these two applications are presented by the proposed plaintiffs seeking leave to sue in respect of specific items of property and in respect of the proposed eighth defendant. Learned counsel for the plaintiffs submits that the suit is for partition and that the properties described in Schedule - A to the plaint are situated within the jurisdiction of this Court. Since items 1 to 7 in Schedule - B are situated outside the jurisdiction of this Court, the application for leave to sue has been filed. Similarly, it is stated that defendants 1 to 7 reside within the jurisdiction of this Court and the cause of action also arose within the jurisdiction of this Court. Since the eighth defendant carries on business outside the jurisdiction of this Court, the present application has been filed.

2. Upon examining the draft plaint and on considering the submissions of learned counsel, it is clear that the cause of action has arisen largely within the jurisdiction of this Court and that some of the assets are situated within the jurisdiction of this Court. Therefore, these applications are allowed as prayed for. As a corollary, the Registry is directed to number the suit, if otherwise in order.

08.12.2022

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