



A.No.4647 of 2023
in C.S.DR.No.85795 of 2023

R.N.MANJULA,J.

This application has been filed seeking leave to the applicants / plaintiffs to sue in respect of the suit 'A' schedule property which is situated outside the jurisdiction of this Court.

2. The applicants are the plaintiffs and the respondents are the defendants in the above suit. The plaintiffs have intended to file the above suit for partition of the suit schedule properties.

3. The learned counsel for the applicants / plaintiffs submitted that the above suit is filed for partition of suit 'A' and 'B' schedule properties, whereas 'B' schedule property is situated within the jurisdiction of this Court and 'A' schedule property is situated in Chengalpattu which is outside the jurisdiction of this Court. Therefore the applicants / plaintiffs have filed this application to permit the applicants to try suit 'B' schedule property jointly along with suit 'A' schedule property.



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4. The Plaintiffs have filed the suit for partition. The Court which shall have the jurisdiction to entertain the suits of this nature will be the Courts in whose jurisdiction the properties are situated. The applicants / plaintiffs have filed this application seeking leave to sue as against the properties which are situated outside the jurisdiction of this Court also in this suit.

5. Considering the submission made by the learned counsel for the applicants / plaintiffs and also by making reference to the order passed by this Court in **A.Nos.4846 & 4847 of 2021 in C.S.No.496 of 2017 dated 29.08.2023**, on similar facts and by placing reliance on the judgments of the Hon'ble Division Bench of this Court in ***Bank of Madurai Ltd. Vs. Balaramadass & Brothers and Ors reported in AIR 1985 Mad 1 and A.Giridhar & Another Vs. A.Suresh & Others, reported in 1988 2 L.W 308***, leave is granted.

6. Accordingly, this application is allowed.

11.09.2023

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