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R.N.MANJULA,J.

A.No.5029 of 2023
in
C.S.DR.No.120034 of 2023

This application has been filed to grant leave to the applicant / plaintiff to institute the above suit against the respondents in regard to the property more fully described in the 'Schedule of Property' hereunder and also against the respondents / defendants 4, 7 and 9 to 13.

2. The suit has been filed by the applicant / plaintiff for partition and declaration to declare the plaintiff's 7/36 share in each of the schedule properties (Item 1 to 3), more fully set out in the 'Schedule of Properties' hereunder and appoint an Advocate Commissioner to suggest modes of division of each of the schedule properties into thirty six (36) equal shares and put the plaintiff in physical possession of seven (7) such shares in each of the schedule properties; and to direct the defendants 1 to 3 and 5 to render true and proper accounts for the income earned by them from and out of the schedule properties (Item 1 to 3) more fully described in the 'Schedule of Properties' hereunder for and from the preceding three (3) years from the date of filing the present suit.

3. According to the learned counsel for the applicant / plaintiff, the suit has been filed for partition and declaration against the defendants. Even though the cause of action is well within the jurisdiction of this Court, the defendants 4, 7 and 9 to 13 are residing outside the jurisdiction of this Court. Hence, this leave application is filed.



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4. Considering the submission made by the learned counsel for the applicant / plaintiff and considering the averments made in this application and in the plaint, leave is granted.

29.09.2023

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Note: Registry is directed to number the suit, if it is otherwise in order.

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