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A.No.5202 of 2022 in

C.S.DR.No.41182 of 2022

R.N.MANJULA,J.

This application has been filed to permit the applicant / plaintiff to file a single suit for several cause of action as joinder causes of action against the same respondent / defendant.

2. The applicant is the plaintiff who has filed a suit for recovery of Rs.1,07,18,356.15/- along with interest from the defendant. It is alleged that the defendant had availed loans on various dates and executed promissory notes as under:

<i>S.No.</i>	<i>Date</i>	<i>Loan amount borrowed by the defendant from the plaintiff</i>	<i>Date of execution of promissory notes</i>	<i>Interest as on 15.04.2022 - with amount</i>
1	16.04.2019	Rs.20,00,000/-	16.04.2019	1096 days - Rs.10,80,986.30/-
2	23.04.2019	Rs.20,00,000/-	23.04.2019	1089 days - Rs.10,74,082.19/-
3	15.05.2019	Rs.20,00,000/-	15.05.2019	1067 days - Rs.10,52,383.56/-
4	15.06.2019	Rs.10,00,000/-	15.06.2019	1036 days - Rs.5,10,904.10/-
	Total	Rs.70,00,000/-	Total:	Rs.37,18,356.15/-



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3. Since the parties are same, the plaintiff has filed this application seeking to join several cause of the action and file one suit. It is alleged in the plaint that despite the defendant had executed promissory notes on different dates and availed the loan, he did not choose to repay any of the loans and the total outstanding as on the date of the plaint is accrued to Rs.1,07,18,356.15/- along with interest.

4. Clause 14 of Letters Patent for High Court of Madras allows different cause of action to be joined in one suit, if the defendant is the same. Clause 14 of Letters Patent reads as under:

"14. Joinder of several causes of action – And we do further ordain that where plaintiff has several causes of action against defendant, such causes of action not being for land or other immovable property, and the said High Court shall have original jurisdiction in respect of one of such causes of action, it shall be lawful for the said High Court to call on the defendant to show cause why the several causes of action should not be joined together in one suit, and to make such order for trial of the same as the High Court shall deem fit. "



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5. As per the averments made in the plaint, the cause of action had taken place at the office of the plaintiff which is situated in Chennai. It is alleged that the suit transaction has taken place at the office of the plaintiff. The cause of action has taken place within Chennai and the suit claim is also within the monetary jurisdiction of this Court. Since the defendant is also one and the same, I feel by invoking Clause 14 of Letters Patent for High Court of Madras, permission should be granted to the applicant / plaintiff to combine several cause of action in one suit.

6. Accordingly, this application is allowed.

7. The Registry is directed to number the Suit, if it is otherwise in order.

21.08.2023

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