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C.R.P.(PD).No. 3080 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.08.2024

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THE HONOURABLE Mr. JUSTICE

V.LAKSHMINARAYANAN

C.R.P.(PD).No. 3080 of 2024

A.R.Srinivas

...Petitioner

Vs.

1.Agate International (P) Ltd.,
Rep by its Managing Director Mr.Pragadeesh Kumar,
No.86/20, Royal Towers,
Sankari Road, Seetharam Palayam,
Thiruchengode, Namakkal – 637 209.

2.Pragadeesh Kumar

...Respondents

Prayer: Civil Revision Petition is filed under Article 227 of the
Constitution of India challenging the order dated 19.06.2024 passed in
O.S.(SR).No.6633 of 2024 by the I Assistant City Civil Court,
Chennai.



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For Petitioner : Mr. S.Sivaraman.

ORDER

This Civil Revision Petition arises against the order passed by the learned I Assistant City Civil Judge, Chennai dated 19.06.2024.

2. The Civil Revision Petitioner is the plaintiff. He presented the suit in O.S.(Sr).No.6633 of 2024 seeking the relief of permanent injunction restraining the defendants from in any way acting on the basis of the letter issued by the plaintiff on 09.06.2024. The plaintiff would plead that the letter dated 09.06.2024 was obtained from him under undue influence and coercion while he was staying at Poolambadi Village, Perambalur District.

3. The short facts necessary for the disposal of the Civil Revision Petition are that the plaintiff / civil revision petitioner was



employed with the 1st defendant to manage its duty free shop at Petrapol, West Bengal. The petitioner was authorised to sell liquor from the duty free shop but the same should have been in foreign exchange. Alleging that the plaintiff had sold foreign liquor without proper documentation and had also sold on credit basis through online portals in Bangladesh, action was initiated against him.

4. It was alleged that the sale of the foreign liquor was with the connivance of the Customs Officials, Border Security Force and other authorities who are in-charge of protecting the border. The 2nd defendant requested the acknowledgment from the plaintiff for Rs.22,00,000/- said to have been paid to several officials till May 2024. In order to resolve the matter, the mother of the plaintiff met the 2nd defendant at Poolambadi Village, Perambalur District.

5. The plaintiff alleges that he was manhandled and threatened by the 2nd defendant and a letter was extracted from him on



09.06.2024 stating that he will repay the money paid unofficially to the concerned officials. Citing his manhandling of the plaintiff as a cause of action for coercion, he presented the suit for injunction on the file of the City Civil Court, Chennai.

6. The Registry of the City Civil Court, Chennai entertained a doubt as to how the suit is maintainable within the Jurisdiction of the City Civil Court, Chennai. The matter was posted before the learned I Assistant City Civil Judge, Chennai for maintainability. The learned Judge, after hearing the arguments of the plaintiff, passed an order returning the plaint. Hence, the Revision.

7. Heard Mr. S.Sivaraman, learned counsel for the petitioner.

8. Mr. S.Sivaraman, would submit that the appointment letter for the plaintiff was given when he was residing at Velachery and the salary for the work that he had completed for the 1st defendant was



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also paid at Velachery. Therefore, the City Civil Court at Chennai has Jurisdiction to entertain the suit.

9. I am not in a position to agree with the said submission. The suit does not relate to any arrears of money payable by the 1st defendant to the plaintiff. It relates to the letter dated 09.06.2024 said to have been issued by the plaintiff to the defendants. The 1st defendant has its corporate office at Seetharama Palayam, Thiruchengode, Namakkal and the 2nd defendant, who is the Managing Director also has his office there. The letter dated 09.06.2024 had been issued at Poolambadi Village, Perambalur, where the 2nd defendant is said to have been staying in a guest house. There is no cause of action within the Jurisdiction of the City Civil Court, Chennai. If at all any cause of action arises, it is only within the Jurisdiction of Perambalur or Thiruchengode.



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10. Therefore, I do not find any mistake in the order of the learned I Assistant City Civil Judge, Chennai, refusing to entertain the suit at Chennai. The appropriate remedy for the party is to present the suit before the Court having Jurisdiction.

11. With the above observation, the Civil Revision Petition is dismissed. No costs.

14.08.2024

Index : Yes/No
Internet : Yes/No
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To

The I Assistant City Civil Judge,
Chennai.



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V.LAKSHMINARAYANAN, J.

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