



A.No.5028 of 2023

N.SATHISH KUMAR, J.

WEB COPY

This application has been filed to grant leave. The suit has been originally filed for defamation. The 1st plaintiff is none other than the brother of the defendant. The case of the plaintiff is that his father was treated for COVID at the 2nd plaintiff's hospital. Though he was free out of COVID, post COVID complications, he suffered heart ailments and succumbed and thereafter, the respondent, being sister, has sent the various false scandalous allegation to various authorities. One such allegation was made before the Medical Council of India. While, after thorough enquiry, the petitioner has been relieved. Not stopping with that, more such acquisitions have been made. Hence, according to him, the defamatory contents were circulated within the jurisdiction of this Court.

2.A counter has been filed by the respondent admitting communication sent to various authorities. The only contention in the counter is that the cause of action arose outside the jurisdiction of this Court and the suit is nothing but a clear abuse process of law.

N.SATHISH KUMAR, J.



vsn

WEB COPY 3. Since there is no dispute with regard to sending various communications, particularly with regard to the complaint made to Medical Council of India, at office being situated within the jurisdiction of this Court and when the alleged defamatory statements have been published within a jurisdiction of this Court, this Court is of the view that there is no difficulty to hold that this Court can entertain the suit. Whether those statements, really amounts to defamation or not is the issue to be decided in the suit after trial. For this limited purpose leave can be granted. This Court is prima facie satisfied that cause of action arose within the jurisdiction of this Court. Hence, this petition is allowed and leave is granted.

14.02.2024

vsn

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