

C.R.P (PD) No.1510 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2025

CORAM

THE HONOURABLE MS. JUSTICE P.T. ASHA

C.R.P (PD) No. 1510 of 2025

&

C.M.P.No. 8826 of 2025

Dhanalakshmi Srinivasan Super
Specialty Hospital
Rep. by its authorised representative
Trichy to Chennai Highway,
Siruvachur, Perambalur.

... Petitioner

VS.

M/s.Veiva Scientific Company
Represented by Partner Mr. Samil M.Mehta
Represented by POA Sathya Sai Ram V,
No.6 (Old No.3), Gengu Reddy Road,
Ground Floor, Egmore,
Chennai – 600 008.

... Respondent



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Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India to set aside the order dated 04.12.2024 passed in IA.No.3 of 2024 in COS.No.165 of 2024 on the file of the Principal Commercial Court, Egmore, Chennai.

For Petitioner : Mr. S.Ramachandran

For Respondent : Mr. Sandeep S.Shah
For M/s.Shah & Shah.

ORDER

Challenging the order passed by the Principal Commercial Court, Egmore in IA.No.3 of 2024 in COS.No.165 of 2024, the defendant has filed the above civil revision petition. The above revision arise in respect of dismissal of an application filed by the defendant under the provisions of Order VII Rule 10 CPC to return the plaint in COS.No.165 of 2024.



2. The defendant would seek to have the plaint returned on the ground that no part of cause of action has arisen within the jurisdiction of the Courts at Chennai and it was Courts at Perambalur that had jurisdiction. Therefore, the institution of the suit at Chennai was without jurisdiction and the plaint had to be returned for representing before the appropriate jurisdictional Court.

3. The plaintiff has countered this claim by stating that he is dealing in surgical items used in the Hospitals, which includes stents used for heart surgery. The defendant who is running a Hospital had approached the plaintiff at Chennai for the purpose of supplying stents and the plaintiff had despatched the same to the defendant through transport company. The payments were received at Chennai. Therefore, the plaintiff would submit that a part cause of action has arisen within the jurisdiction of this Court and therefore, the contention of the defendant that the Courts at Chennai did not have jurisdiction is absolutely baseless.



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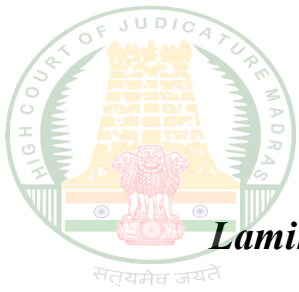
WEB COPY 4. The Principal Commercial Court Chennai by order dated 04.12.2024 dismissed the above application.

5. Challenging the same the petitioner is before this Court.

6. The contention of the defendant is that since the plaintiff had his business at Perambalur, no part of cause of action had arisen for recovery of money within the Jurisdiction of the Courts at Chennai. The suit cannot be continued at the Principal Commercial Court, Egmore, Chennai.

7. Heard the learned counsel and perused the records.

8. Section 20 (c) of the CPC stipulates that the place where cause of action had arisen has jurisdiction to entertain the suit. The Hon'ble Supreme Court as early as in the year 1989 in the case of *ABC*



Laminart Pvt., ltd and another Vs. AP. Agencies – AIR 1989 (SC)

WEB CO1239, observed that the jurisdiction of the Court in a matter of contract will not only depend upon situs of the contract but also where the cause of action arisen through connected factors. The cause of action has been described as a bundle of facts which gives right to the plaintiff to seek relief against defendants.

9. In the instant case the defendant has placed an order at Chennai. The product was transported from Chennai to the defendants hospital at Perambalur and the payments received at Chennai. All of these constitute a cause of action.

10. Therefore, in the light of the language of Section 20 (c) of the CPC, a part cause of action having arisen within the jurisdiction of the Courts at Chennai, the order passed by the learned Principal Commercial Judge, Egmore, cannot be found fault with.



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11. Accordingly, the Civil Revision Petition is dismissed.

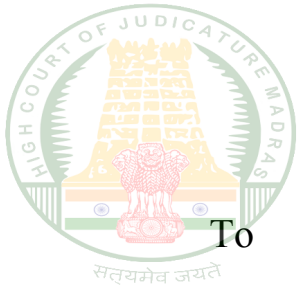
Consequently, the connected miscellaneous petition is closed. No costs.

15.04.2025

Index: Yes/No

Internet: yes/No

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To

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The Principal Commercial Court,
Egmore,
Chennai.



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P.T. ASHA.J

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