



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 09.07.2025

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

A.No.3139 of 2025 in
C.S.(Comm.Div) SR. No.101738 of 2025

M. Prabhakaran

S/o. K.Muthu, THAWA, J Block, 4th Floor,
Flat No.3, HIG Apartments, Natesan Nagar West,
Virugambakkam, Chennai 600 092.

... Applicant/Plaintiff

-VS-

1. B.Stalin Chinnadurai,
S/o.Bhagavat Singh,
The Proprietor of Udhaya Traders,
New No.25, Old No.11,
1st Floor, Ramanujam Street, T.Nagar,
Chennai 600 017.

2. M.K.Ramesh,
Village President of Ulundai Village,
Kadambathur Block,
Thiruvallur District-602 105.

.. Respondents/Defendants

Prayer: Application is filed under Order XIV Rule 8 of the Original Side

Rules Read With Order III Rule 1 of the Original Side Rules and Clause 12



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of Letters Patent, to grant leave to institute the above suit against the 2nd defendant as he is outside the territorial jurisdiction of this Court.

For Applicant : Mr.Vigneshkumar Rajapandyan

ORDER

In a proposed suit for recovery of a sum of Rs.1,13,00,000/- from the defendants, the intending plaintiff has sought leave to sue the 2nd respondent/2nd defendant before this Court.

2. In the draft plaint, it is stated that the 1st defendant approached the plaintiff at Virugambakkam and T.Nagar, Chennai for financial assistance and that the plaintiff transferred sums of Rs.42,00,000/- and Rs.45,50,000/- to the 1st defendant bank account in Chennai. Therefore, it is stated that the cause of action arose in Chennai, wherein further amounts were also transferred from the accounts of the plaintiff to that of the 2nd defendant upon instructions from the 1st defendant.

3. Learned counsel for the applicant submits that this application is



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being filed solely on account of the fact that the 2nd defendant resides outside the jurisdiction of this Court.

4. Upon examining the draft plaint and the affidavit in support of this application, it appears that the substantial part of the cause of action has arisen within the jurisdiction of this Court. Therefore, this application is allowed by granting leave to the applicant to sue the 2nd respondent before this Court. As a corollary, the Registry is directed to number the suit, if otherwise in order.

09.07.2025

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SENTHILKUMAR RAMAMOORTHY,J.

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