



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-12-2025

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THE HON'BLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

**A No. 6316 of 2025
in C.S (Comm.Div)SR.No.207565 of 2025**

Ansaldo Caldaie Boilers India Pvt. Ltd.,
Rep. by its Director Mr.Jawahar Pachayappan
Office no. 3, 3rd floor, Ceebros Centre,
New no. 39, Old no. 45, Montieth Road,
Egmore, Chennai 600 008.

..Applicant/Plaintiff

Vs

1. G. Elli Riduttori Seites SRL,
Rep.by its Managing Director Mr.Pietro Elli,
Regd. Office at Piazzale L Cadorna, 13-20123,
Milano – Italy.

2. IDBI Bank, Rep.by its Branch Manager, 115,
Anna Salai, Saidapet, Chennai 600 015.

..Respondents/
Defendants

Prayer : Application is filed to grant leave to sue the Respondent

No.1/Defendant No.1 in C.S (Comm.Div) SR. No.207565 of 2025.

For Applicant:

Mr. P.J.Rishikesh



ORDER

In a proposed suit for a declaration that letter of credit dated 15.09.2025 is null and void and for injunctive relief, the intending plaintiff seeks leave to sue the first defendant before this Court.

2. Learned counsel for the plaintiff submits that the purchase order was issued from Chennai as was the letter of credit. Therefore, he submits that a substantial part of the cause of action has arisen at Chennai. He submits further that there is no arbitration clause in the contract between the parties.

3. On examining the draft plaint, I find that the purchaser order was issued from Chennai and the letter of credit was also issued by a bank operating from Chennai. Therefore, the cause of action has arisen at least partially within the jurisdiction of this Court. Consequently, the application is allowed by granting leave to the applicant to sue the first respondent/first defendant before this Court. As a corollary, the Registry is directed to number the suit, if otherwise in order.

17-12-2025

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SENTHILKUMAR RAMAMOORTHY, J.

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