

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 161 OF 2004

INDIAN INSTITUTE OF SALES TECHNOLOGY
THROUGH ITS MANAGER .. APPELLANT(S)

vs.

R. AYYA NADAR KARTHIK .. RESPONDENT(S)

O R D E R

1. We have heard learned counsel for the parties.
2. Two issues have been decided by the High Court: (i) that the complaint was within limitation and (ii) that the question of jurisdiction was a matter of trial and should be taken by the parties at that stage.

The learned counsel for the appellant has very fairly given up the question of limitation as being correctly decided but insofar as the second issue is concerned, learned counsel relying on Harman Electronics Private Limited & Anr. v. National Panasonic India Private Limited (2009) 1 SCC 720 submits that the case has to be

transferred from Sivakasi to Chennai. We feel in the circumstances that the prayer is tenable. We make an order in the above terms.

The appeal is allowed to the above extent. Parties to appear before the competent Court in Chennai on the 26th November, 2010.

New Delhi,
October 06, 2010.

