



WEB COPY



C.R.P. No. 3215 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2026

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

C.R.P. No. 3215 of 2025

&

C.M.P. No. 17854 of 2025

1. K.R. Indrajit
2. K. Rajagopalan

..Petitioners

Vs.

1. A.L. Selvakumar
2. Mrs. Annapooranai
3. T. Arunachalam

..Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India as against the fair and decretal order dated 02.07.2025 passed in I.A. No. 942 of 2014 in O.S. No. 4615 of 2011 by the XIII Assistant City Civil Court, Chennai.

For Petitioners :: Mr.R. Asokan

For Respondents :: Mr.N. Nagu Sah for R1



C.R.P. No. 3215 of 2025

ORDER

WEB COPY

This civil revision petition has been filed challenging the impugned order dated 02.07.2025 passed in I.A. No. 942 of 2014 in O.S. No. 4615 of 2011 by the XIII Assistant City Civil Court, Chennai.

2. By the aforesaid order, the application filed by the petitioners seeking for rejection of plaint filed in O.S. No. 4615 of 2011 on the ground of improper valuation of the suit has been dismissed. Aggrieved by the said order, the petitioners, who are defendants 1 and 2 in the suit, have filed this civil revision petition.

SUBMISSIONS:

3. Learned counsel for the petitioners would submit that even though in the plaint filed in O.S. No. 4615 of 2011, the 1st respondent/plaintiff has quantified the amount due and payable by defendants 1 and 2, he has not paid the court-fees as per the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 *ad valorem*. Instead, he has paid a court-fee of Rs.100/- valuing the suit at Rs.100/-.

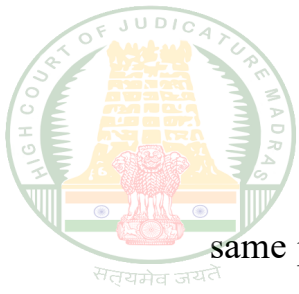
4. Learned counsel for the petitioners drew the attention of this Court to the relevant paragraphs in the plaint where the 1st



C.R.P. No. 3215 of 2025

respondent/plaintiff has quantified the amount due and payable by the petitioners/defendants 1 and 2. He also drew the attention of this Court to the suit prayer and would submit that though the 1st respondent/plaintiff had sought for rendition of accounts, a consequential prayer has been sought for a direction to the petitioners/defendants 1 and 2 to pay the amount. Therefore, on the ground of undervaluation of the suit, the Trial Court ought not to have rejected the plaint by allowing I.A. No. 942 of 2014 filed by the petitioners/defendants 1 and 2. Learned counsel for the petitioners brought to the notice of this Court, the decision of the Honourable Supreme Court in the case of *Meenakshisundaram Chettiar V. Venkatachalam Chettiar* reported in (1980) 1 SCC 616 and would submit that under Order VII Rule 11(b) of CPC, a duty is cast upon the Court to reject the plaint when the relief claimed is undervalued. Therefore, according to him, the Trial Court ought to have rejected the plaint as prayed for by the petitioners/defendants 1 and 2.

5. Learned counsel for the petitioners also drew the attention of this Court to the order dated 09.11.2023 passed by this Court in C.M.A. No. 2347 of 2023 involving the very same issue between the very



C.R.P. No. 3215 of 2025

same parties and would submit that in the said order, it has been made clear that the Trial Court has to ascertain whether the suit is correctly valued and if, after ascertaining the value, any additional court-fee is required to be paid, the Trial Court may not reject the plaint immediately, but is required to give reasonable time to the plaintiff to pay the deficit court-fee. Therefore, he would submit that the Trial Court has committed an error by passing the impugned order rejecting the application filed by the petitioners seeking rejection of plaint.

6. On the other hand, learned counsel for the 1st respondent/plaintiff would submit that a perusal of the suit prayer would make it clear that the suit is not for recovery of money, but for rendition of accounts from the petitioners/defendants 1 and 2 and the consequential relief sought for by the 1st respondent/plaintiff has also not quantified the amount due and payable by the petitioners/defendants 1 and 2. He also drew the attention of this Court to paragraph No. 13 of the plaint filed in O.S. No. 4615 of 2011 and would submit that if the Court determines that excess amount is payable by the 1st respondent/plaintiff, then the 1st respondent/plaintiff has also undertaken that he shall pay the court-fee for



C.R.P. No. 3215 of 2025

the excess amount paid to him. Therefore, he would submit that the Trial Court has rightly dismissed the petitioners' application for rejection of plaint. Learned counsel for the 1st respondent/plaintiff also relied upon the judgment of the Hon'ble Supreme Court in the case of *M/s. Commercial Aviation and Travel Company and Others V. Vimla Pannalal* reported in *(1988) 3 SCC 423* and would submit that in similar circumstances, where a suit for rendition of accounts was filed, the Hon'ble Apex Court has made it clear that it is ordinarily difficult to value the relief correctly. Therefore, he would submit that the question of rejection of plaint does not arise under Order VII Rule 11 CPC on account of undervaluation.

DISCUSSION:

7. The only point for consideration in this civil revision petition is whether the application filed by the petitioners/defendants 1 and 2 under Order VII Rule 11 CPC on the ground of undervaluation of the suit is maintainable.

8. By the impugned order, the application filed by the petitioners/defendants 1 and 2 seeking for rejection of plaint on the ground of undervaluation has been rejected. The suit has been filed for rendition of



C.R.P. No. 3215 of 2025

accounts and a consequential relief has been sought for by the 1st respondent/plaintiff to direct the petitioners/defendants 1 and 2 to pay the amount determined by the Court. In the suit prayer, the amount has not been quantified though in the averments contained in the plaint, the 1st respondent/plaintiff has disclosed the amount due and payable by the petitioners/defendants 1 and 2 to him. By order dated 09.11.2023 in C.M.A. No. 2347 of 2023 involving the very same issue between the parties, the High Court, in the said order, while dismissing the appeal, had directed the Trial Court to ascertain if the plaint was valued correctly by the 1st respondent/plaintiff and after ascertaining the value, any additional court fee is required to be paid, the plaintiff was permitted to be granted reasonable time to pay the deficit court-fee. The said order dated 09.11.2023 passed in C.M.A. No. 2347 of 2023 has already attained finality. In the decision relied upon by the learned counsel for the 1st respondent/plaintiff in *M/s. Commercial Aviation and Travel Company* case, referred to above, it has been made clear that the Court cannot reject the plaint under Order VII Rule 11(b) CPC on the ground of undervaluation in a suit for rendition of accounts as it is ordinarily difficult to value the suit correctly.



C.R.P. No. 3215 of 2025

WEB COPY

9. As far as the judgment of the Hon'ble Apex Court relied upon by the learned counsel for the petitioners during the course of his submissions, i.e., *Meenakshi Sundaram Chettiar's case*, referred to supra, is concerned, the said decision has no bearing to the facts of the instant case. In the case on hand, even though in the averments contained in the plaint, a certain amount is disclosed as the sum due and payable by the petitioners/defendants 1 and 2 to the 1st respondent/plaintiff, in the suit prayer, no amount has been disclosed, as the suit has been filed only for rendition of accounts. Further, even in the consequential prayer, the amount to be paid by the petitioners/defendants 1 and 2 has not been disclosed. The 1st respondent/plaintiff has only stated in the suit prayer that the petitioners/defendants 1 and 2 are liable to pay the amount as determined in the suit by the Trial Court. As per the decision relied upon by the learned counsel for the petitioners/defendants 1 and 2 in *Meenakshi Sundaram Chettiar's case*, referred to supra, it has been made clear that a duty is cast upon the Court to reject the plaint when the relief claimed is undervalued. After a careful consideration of the suit prayer, such a situation



WEB COPY



C.R.P. No. 3215 of 2025

ABDUL QUDDHOSE,J.

nv

does not arise in the case on hand. Therefore, the question of rejecting the
plaint on the ground of undervaluation of the suit does not arise.

DECISION:

For the foregoing reasons, this Court does not find any infirmity in
the reasons given by the Trial Court for dismissing the application filed by
the petitioners/defendants 1 and 2 in I.A. No. 942 of 2014 in O.S. No. 4615
of 2011 on the file of XIII Assistant Judge, City Civil Court, Chennai. Since
there is no merit in the civil revision petition, the same is dismissed. No
costs. Connected C.M.P. is closed.

09.07.2026

nv

To

The XIII Assistant Judge, City Civil Court,
Chennai.

C.R.P. No. 3215 of 2025

8\8