

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2016

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

CRP(PD)No.1991 of 2016
and C.M.P.No.10414 of 2016

1. Rajamanickam		
2. Thulasi		
3. Kandavel		
4. Jayabalan	...	Petitioners
	Versus	
1. Mangalamble		
2. Dhanalatchoumy		
3. Ramachandran	...	Respondents

This Petition filed under Article 227 of the Constitution of India, against the order dated 21.09.2015 made in I.A.No.879 of 2015 in O.S.No.106 of 2013 on the file of the learned III Additional District Judge, Puducherry.

For Petitioners	:	Mrs.K.Kalpana
For Respondents	:	Mr.D.Senthil Kumar

ORDER

The petitioners filed an application before the Trial Court in I.A.No.879 of 2015 to pass an order that that respondents have not valued the suit claim correctly and to reject the plaint on the said ground. The application was dismissed by the Trial Court. Feeling aggrieved, the petitioners are before this Court.

2. Heard the learned counsel for the petitioners and the learned counsel for the respondents.

3. The respondents filed the suit in O.S.No.106 of 2013 contending that they are in possession of the property along with the petitioners. The petitioners filed the application for a direction to the Trial Court to reject the plaint on the ground that proper court fee has not been paid. The petitioners miserably failed to plead that the respondents are out of possession and as such, they are bound to pay court fee accordingly.

4. The learned Trial Judge considered the background facts and rightly dismissed the Interlocutory application. I do not find any error or illegality in the order passed by the learned Trial Judge, warranting interference, by invoking the revisional jurisdiction under Article 227 of the Constitution of India.

5. In the result, the Civil Revision Petition is dismissed.

6. The suit is of the year 2013. The learned Trial Judge is requested to dispose of the suit as expeditiously as possible and in any case, within a period of four months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

22.09.2016

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To

The III Additional District Judge,
Puducherry.

K.K.SASIDHARAN, J.

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