



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 27.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM

C.R.P. (MD) No.919 of 2016

WEB COPY

M.Mani

...Petitioner/Plaintiff

Vs.

1. A.Jai Ganesh

2. Mooventhan

3. The Secretary,

Co-operative Building Society Ltd.,

A 2248, Pandiyan Nagar,

11, Harvi Nagar, Ist Street, Arasaradi,

Madurai - 16.

...Respondents/Defendants

PRAYER: Petition filed under Article 227 of Constitution of India, to set aside the order dated 03.03.2016 passed in docket order is unnumbered O.S.No. of 2016 in A.No.1169 of 2016 on the file of the learned Principal Subordinate Judge, Madurai and to allow this revision to number the original suit.

For Petitioner : Mr.R.Ganesan

O R D E R

This revision challenges the order, dated 03.03.2016 passed in docket order is unnumbered O.S.No. of 2016 in A.No.1169 of 2016 on the file of the learned Principal Subordinate Judge, Madurai.

2. Heard the learned counsel for the petitioner.

3. A perusal of the papers informs that the plaint has been returned on very many occasions and mostly for erroneous reasons. The last return dated 18.02.2016 also is erroneous. The Court fee in keeping with section 40 of the Tamil Nadu Valuation and Court Fees Act is to be paid on the market value of the property.

4. In the absence of better material, guideline value will be taken. In the instant case, plaintiff has paid the Court fee on the guideline value.

5. Making it clear that we are not in any manner touching upon the merits of the suit, which may either succeed or fail, the Principal Subordinate Judge, Madurai is directed to number the suit.

6. In view of the above, this petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar(CS)

To

The Principal Subordinate Judge, Madurai.

+1cc to Mr.R.Ganesan, Advocate in SR.24064