

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

O.S.A.No.58 of 2017

Prema

.. Appellant

Vs.

1. M.Sambandam

2. Manickavalli

(Abated as per order dated 9.1.2017
as no steps taken to bring her LR's.)

3. Rajam

.. Respondents

PRAYER: Appeal under Order XXXVI Rule 11 of the Original Side Rules read with Clause 15 of the Letters Patent against the order dated 8.2.2017 passed by the learned Single Judge in A.No.704 of 2017 in C.S.No.796 of 2008.

For Appellant : Mr.P.Gunaraj

JUDGMENT

(Delivered by the Acting Chief Justice)

Heard the learned counsel for the appellant. Notice to the respondents is dispensed with.

2. The appellant herein is the second defendant in the suit. The appellant along with the first defendant in the suit filed application in A.No.704 of 2017 to receive additional documents.

3. The learned Single Judge, by order dated 8.2.2017, allowed the application, of course subject to payment of cost of Rs.25,000/- to the Tamil Nadu State Legal Services Authority, taking note of the lethargic attitude of the appellant. Assailing the costs imposed by the said order, the present appeal is filed.

4. The learned counsel for the appellant submitted that the appellant is working as a house maid and getting a sum of Rs.2,500/- per month for her livelihood and, therefore, the costs imposed to the tune of Rs.25,000/- is highly excessive and onerous. He prayed for reduction of the costs imposed.

5. On hearing the learned counsel for the appellant and considering the facts and circumstances of the case, more particularly the economical condition of the appellant, we reduce the costs imposed by the learned Single Judge to Rs.5,000/- (Rupees Five Thousand Only) and the same shall be payable to the Tamil Nadu State Legal Services Authority, Chennai, within a period of one week from the date of receipt of a copy of this order. The order passed by the learned Single Judge is modified to that extent. It is for the learned Single Judge to proceed further with the suit.

The appeal is disposed of accordingly. Consequently, C.M.P.No.4816 of 2017 is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To:

1.The Sub Assistant Registrar
Original Side
High Court, Madras.

2.The Tamilnadu State Legal Services Authority,
Chennai.

+1 cc to M/s.P.Gunaraj, advocate,sr.16773.

gmi (co)
krd 3/4

O.S.A.No.58 of 2017

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