



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Wednesday, the Fifth day of July Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice M.M.SUNDRESH
and
The Hon`ble Mr.Justice N.SATHISH KUMAR

CMP(MD) No.4849 of 2017
IN
AS(MD) No.SR15551 of 2017

ABDUL AJEESH

... PETITIONER/APPELLANT

Vs

1 SANTHI
2 JAYAGOPAL
3 JEGADEESAN
4 ARIGNAR ANNA COOPERATIVE HOUSING SOCIETY LIMITED,
KUMBAKONAM,
REP BY ITS SECRETARY
BY ITS OFFICE LALBAGUDUR
SASTHIRI ROAD, KUMBAKONAM, THANJAVUR DISTRICT.

5 MUTHUKUMARAVEL

... RESPONDENTS/RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to permit the petitioner to file the appeal in AS.SR.NO.15551 of 2017 without court fee.

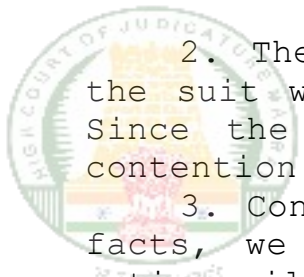
Prayer in AS(MD) No.SR15551 of 2017:-

Memorandum of Grounds of Second Appeal under Section 96 of CPC against the Judgment and decree passed dated 31.07.2015 made in O.S.No.9 of 2011 (POP No.54/2005) on the file of the II Additional District and Sessions Judge, Thanjavur.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.G.GOMATHI SANKAR, Advocate for the petitioner/Appellant the court made the following order:-

(Order of the Court was made by M.M.SUNDRESH,J)

<https://hcservices.courts.gov.in/hcservices/> Court's decision is filed to permit the petitioner to file an appeal in AS SR.NO.15551 of 2017 without Court fee.



2. The learned counsel for the petitioner would submit that the suit was permitted to be proceeded with as in forma pauperis. Since the suit is dismissed, the appeal has been filed. The contention of the petitioner remains the same.

3. Considering the above said submission, which is based upon facts, we are inclined to allow this petition, though normally notice will have to be issued to the respondents as well as the learned Government Pleader. After all dispense with the Court fee is only an interim measure. Once the appeal is disposed of, the consequent will follow. The statement made by the petitioner in para-5 in this regard is also taken note of. Accordingly, this petition is ordered.

sd/-

05/07/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High

Court,

Madurai - 625 023.

TO

THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE, THANJAVUR.

Akv

CSL/RR-BS/SAR-II/10.07.2017 : 2P/2C

ORDER

IN

CMP(MD) No.4849 of 2017

IN

AS(MD) No.SR15551 of 2017

Date :05/07/2017