

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2018

C O R A M

THE HONOURABLE MR.JUSTICE M. GOVINDARAJ

C.R.P.(PD) NO.3288 OF 2017
AND CMP NO.15324 OF 2017

K.Govindasamy

... Petitioner

Vs.

1.P.Kumar
2.K.Geetha
3.A.Easwaramurthy
4.P.Shanmugam
5.M.Selvam

... Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decreetal order dated 23.06.2017 passed in I.A.No.146 of 2017 in O.S.No.135 of 2010 on the file of Principal Subordinate Judge at Tiruppur.

For Petitioner : Mr.K.Myilsamy

ORDER

The revision petitioner, aggrieved over the order passed by the Trial Court, in a petition filed for amendment, under Order 6 Rule 17 read with Section 151 of the Code of Civil Procedure, has preferred the above Civil Revision Petition.

2. According to the petitioner, the respondents / defendants have fraudulently increased the value of the property as Rs.7,10,000/-. But, he has paid the Court Fee valuing it notionally at Rs.90,000/-. Therefore, sought for amendment of the valuation paragraph and to pay additional Court Fee.

3. The Trial Court having found that the suit is at the verge of trial and no issue with regard to valuation of suit and payment of court fee was framed, has dismissed the petition. There is no issue of valuation was framed and that the petitioner will get an opportunity for paying the deficit court fee, in case, the Court comes to a conclusion that the suit should be valued at a higher rate. In such circumstances, the amendment at the verge of trial is not sustainable.

4. Accordingly, the Civil Revision Petition is dismissed. No costs. Consequently, connected civil miscellaneous petition is closed.

23.03.2018

Index : Yes/No

Internet : Yes/No

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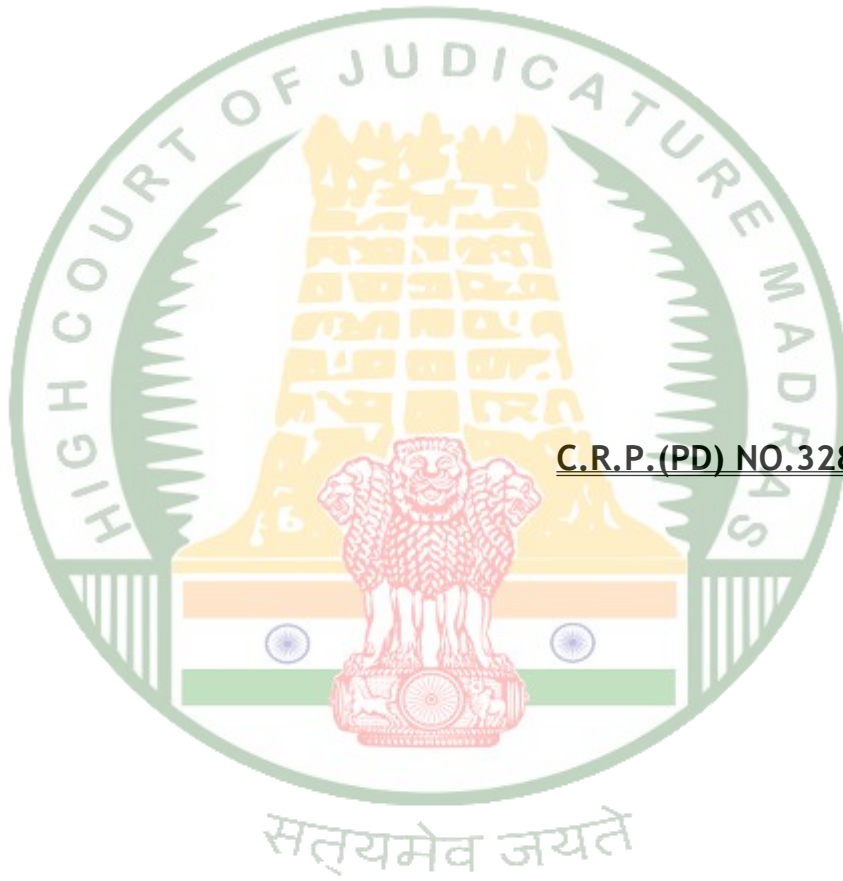
The Principal Subordinate Judge
Tiruppur.



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M.GOVINDARAJ, J.

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