



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.R.P. (PD) (MD) No.1835 of 2018
and C.M.P. (MD) No.8031 of 2018

K.Subramani ... Revision Petitioner/ 1st Respondent
/ 1st Defendant

-Vs-

1.K.Rajeswari ... Respondent/Petitioner/Plaintiff
2.The District Collector,
Karur District, Karur. ... Respondent/2nd Respondent
/ 2nd Defendant

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the order passed in Pauper O.P.No.01 of 2014 dated 10.07.2018 on the file of the Principal District Judge, Karur.

For Petitioner : Mr.K.Suresh
For R2 : Mr.M.Karuppasamy,
Government Advocate.

ORDER

The first respondent instituted the Pauper O.P.No.1 of 2014 on the file of the learned Principal District Judge, Karur against the respondents herein. The court below by order dated 10.07.2018 granted leave to the first respondent to sue as an indigent. Questioning the said order, this Civil Revision Petition has been filed.

2. Heard the learned counsel for the revision petitioner and the learned Government Advocate appearing for the second respondent.

3. The learned counsel for the revision petitioner pointed out that the first respondent is very much having the means to pay court fee and that she has not made a frank and full disclosure of her assets. He also pointed out that the court below erroneously placed the entire burden on him. Therefore, he wanted this Court to reverse the order passed by the court below.

<https://hcservices.ecourts.gov.in/hcservices/>

4. I am unable to agree with the submission of the learned



counsel appearing for the revision petitioner. The revision petitioner is not going to be put to any prejudice because of the grant of leave by the court below in favour of the first respondent. Payment of court fee is a matter between the plaintiff, the Government and the court. The defendant has no say in the matter. Therefore, this Civil Revision Petition is dismissed. No costs. Consequently, connected C.M.P.(MD) No.8031 of 2018 is dismissed.

Sd/-
Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To

1. The Principal District Judge, Karur.

2. The District Collector,
Karur District, Karur.

+ 1 CC TO Mr.K.SURESH, ADVOCATE IN SR No. 80171

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 80252

CM

TE/RSK/SAR-1 : 24/09/2018 : 2P/5C

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