

CMP.No.17674 of 2005
in
A.S.SR.No.80715 of 2005

S.M.SUBRAMANIAM, J.

This Civil Miscellaneous Petition is filed seeking the permission of this Court to file the Appeal Suit as Indigent Person. The respondent instituted a Civil Suit in O.S.No.472 of 2000 for recovery of money to the tune of Rs.16,73,320/- with subsequent interest and cost. The suit was decreed in favour of the plaintiff and the defendant filed an Appeal Suit. The defendant, along with Appeal Suit filed the Miscellaneous Petition seeking permission to file the Appeal Suit as an Indigent Person.

2.This Court summoned the petitioner, who inturn appeared today and on enquiry, the petitioner himself admitted the fact that he is residing in his own house at Gandhipuram, falling within the city limits of Coimbatore Corporation. This apart, the petitioner was employed as Library Attender in the Department of Public Libraries, Government of Tamil Nadu and retired from service. He admitted the fact that he is receiving pension from the Government of Tamil Nadu. When the petitioner is residing in his own house in Coimbatore City

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and receiving a pension from the Government of Tamil Nadu, the relief sought for in the present CMP to permit him to file an Appeal Suit as Indigent Person cannot be considered and as such petitioner is bound to pay the Court Fee as per the Rules and in the event of paying the Court Fee within a period of eight weeks from the date of receipt of copy of this Order, failing which the Appeal Suit itself stands rejected automatically. Accordingly, the Civil Miscellaneous Petition also stands dismissed.

13.12.2019

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