

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.02.2019

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRP NO.3729 of 2013 and
M.P.No.1 of 2013

Arasan ... Revision Petitioner

Vs.

Karnan ... Respondent

Prayer: Civil Revision Petition filed under Section 227 of the Constitution of India against the order dated 02.08.2013 passed by the District Munsif, Jayankondam, Ariyalur District in I.A.No.787 of 2013 in O.S.No.352 of 2010.

For Revision Petitioner : Mr.C.Prakasam

For Respondent : No appearance

ORDER

Revision petition filed against the orders passed in I.A.No.787 of 2018 in O.S.No.352 of 2010, dismissing the application, filed to frame and decide the preliminary issue with regard to the pecuniary jurisdiction.

2. It is submitted that the court fee issue has been raised first time, after PW1 was examined. The petition to decide the preliminary issue had been filed after recording of evidence. Once evidence is recorded, there is a clear bar in raising such issue under Section 12(2) of the Tamil Nadu Courts Fees and Suits Valuation Act. Therefore, this court does not find any illegality or infirmity on the orders passed by the trial court.

3. In the result,

(i) The revision petition is dismissed. No costs. The connected civil miscellaneous petition is closed.

(ii) The decretal order and order of the trial court are upheld.

13.02.2019

Index : Yes / No
Internet : Yes / No
speaking/non speaking
mst

To

The District Munsif, Jayankondam, Ariyalur District.

N.SATHISHKUMAR, J.
mst



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