

**Application No.5782 of 2019
in C.S.No.687 of 2016**

S.VAIDYANATHAN,J.

Today, this Application is taken up for hearing through Video Conferencing, at the instance of Mr.M.Vijay Anand, learned counsel for the Applicant/Plaintiff.

2. The above Application is filed seeking a direction to the Registry to return the court fees paid by the Applicant/Plaintiff, to and in favour of its counsel, Mr.M.Vijay Anand.

3. Learned counsel for the Applicant/Plaintiff submitted that, as the Applicant/Plaintiff Company has been wound up, the Court fee directed to be refunded to the Plaintiff, in the order dated 21.02.2019 passed by this Court in the above Civil Suit, may be ordered to be refunded to the counsel for the Plaintiff.

4. Generally, refund of court fee is ordered only to the Plaintiff (parties), and not to the counsel appearing on his/their behalf. As it is represented that, the Plaintiff-Company has been wound up (no proof filed), and as there is no objection from the learned counsel appearing for the 1st Respondent/1st Defendant, in ordering refund of court fee to the counsel for the Plaintiff, more particularly, in the light of the Memo of Compromise, this Court directs the Registry to refund the Court fee to the learned counsel for the Plaintiff, Mr.M.Vijay Anand.

S.VAIDYANATHAN,J.

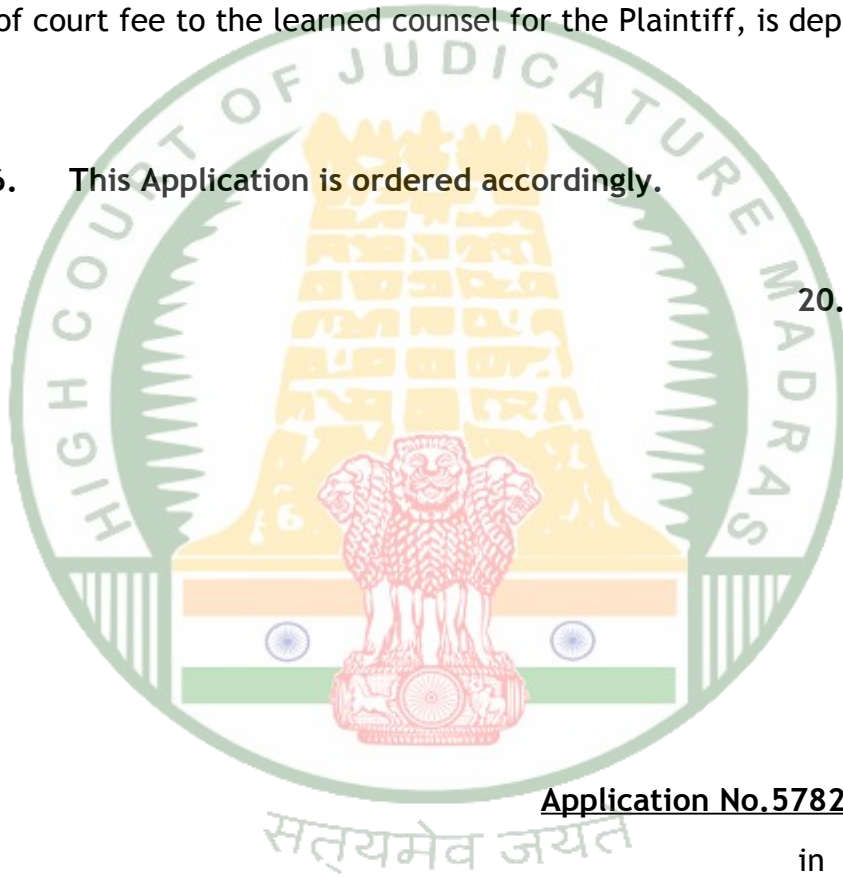
(aeb)

5. By way of abundant caution, it is reiterated that the direction of refund of court fee to the learned counsel for the Plaintiff, is deprecated.

6. This Application is ordered accordingly.

20.09.2019

(aeb)



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