

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Monday, the Tenth day of February Two Thousand Twenty

PRESENT

THE HON`BLE MR JUSTICE K.KALYANASUNDARAM

CMP No.26620 of 2019

in SA.No.876 of 2019

1 PARITHI

[PETITIONERS]

2 GOPI

Vs

G.THUKKARAMAN (DIED)

[RESPONDENTS]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to order for the refund of Excess Court Fee of Rs.2,19,090/- to the petitioner (in CMP.No.26620/2019)

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.PRAKASH BABU, Advocate for the petitioner and of M/S.S.T.RAJA, Advocate for the Respondents the court made the following order:-

This Miscellaneous Petition has been filed seeking refund of Excess Court Fee of Rs.2,19,090/-.

2. Mr.V.Prakash Babu, learned counsel for the petitioners would submit that the suit was filed for declaration and permanent injunction. According to the learned counsel for the petitioners, the Court Fee has to be paid under Section 25(b) of Tamil Nadu Court Fees Act, but it was wrongly paid under Section 25(a) of the Act.

3. The learned counsel for the respondent has no serious objection in allowing this petition.

4. Considering the submissions made by the learned counsel on either side and the affidavit filed in support of the petition, this Miscellaneous Petition is ordered as prayed for.

-sd/-

10/02/2020

/ TRUE COPY /

TO

1 THE PRINCIPAL DISTRICT MUNSIF
TIRUVANNAMALAI.

2 THE ADDITIONAL SUBORDINATE
JUDGE, THIRUVANNAMALAI.

C.C. to M/S.V.PRAKASH BABU Advocate on payment of necessary
charges

C.C. to M/S.S.T.RAJA, Advocate on payment of necessary charges

Order

in

CMP No.26620 of 2019

in SA.No.876 of 2019

Date :10/02/2020

From 26.2.2001 the Registry is issuing certified
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KP(24/02/2020)



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