

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

C.R.P(NPD).No.3757 of 2018

S.Suganthi

...Petitioner

Vs.

S.Selvaraj

..Respondent

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, against the fair and decreetal order dated 25.01.2018 made in I.A.No.186 of 2018 in O.S.No.4218 of 2016 on the file of XV Additional District Judge, Chennai.

For Petitioner : Dr.G.Krishnamurthy

For Respondent : Mr.S.Tamil Prabhu

O R D E R

The plaintiff in O.S.No.4218 of 2016 has come up with this civil revision petition challenging the order of the Trial Court concluding that the suit is beyond its pecuniary jurisdiction.

2. The Trial Court has found that the suit should have been valued at Rs.29,07,000/- and not at Rs.14,07,000/-. Since the City Civil Court's pecuniary jurisdiction was restricted to Rs.25,00,000/- at that point of time, the Trial Judge directed return of the plaint to be presented before this Court. As on today, the pecuniary jurisdiction of the City Civil Court has been enhanced to Rs.1,00,00,000/- as per the Gazette Notification No.405 dated 13.12.2018. In view of the same, even if the enhanced value is accepted, the City Civil Court will have jurisdiction to entertain the suit.

3. Hence, the order of the Trial Court is set aside, the plaintiff is permitted to pay the deficit Court fee within a period of two months from the date of receipt of a copy of this

order. On such payment, the City Civil Court shall restore the suit to the original number and proceed with the same. This civil revision petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kkn

To:

XV Additional District Judge,

City Civil Court,

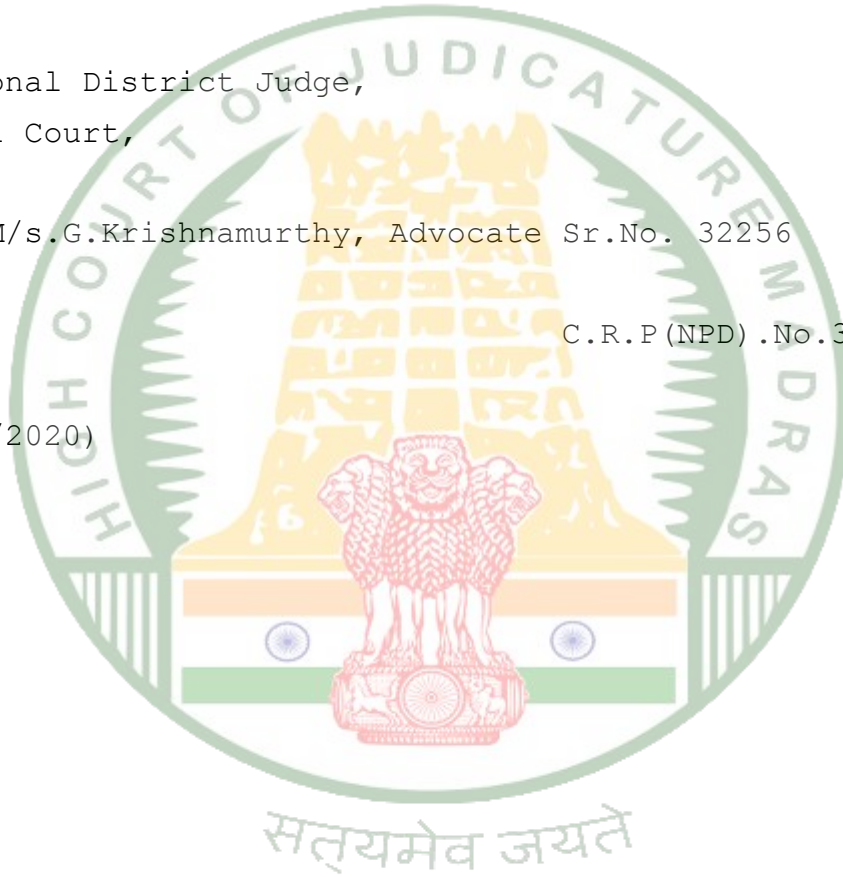
Chennai

+1 cc to M/s.G.Krishnamurthy, Advocate Sr.No. 32256

C.R.P (NPD) .No.3757 of 2018

GMR (CO)

RMP (14/10/2020)



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