

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2021

CORAM

THE HON'BLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

CRP.PD.No.2200 of 2015 and
MP.No.1 of 2015

H.S.Sreenath

..Petitioner

Vs.

1.Andalammal
2.Veeraraghavan
3.M.P.Yogananda

..Respondents

PRAYER:

The Civil Revision Petition is filed under Article 227 of the Constitution of India praying against the order dated 29.01.2015 in IA.No.2308 of 2013 in OS.No.231 of 2012 on the file of the District Munsif cum Judicial Magistrate, Sriperumbudur.

For Petitioner : Mr.B.Ravi Raja
For Respondents

R1 : Notice served
R2 & 3 : Dispense with

ORDER

This Civil Revision Petition is directed as against the order dated 29.01.2015 in IA.No.2308 of 2013 in OS.No.231 of 2012 on the file of the District Munsif cum Judicial Magistrate, Sriperumbudur.

2. The petitioner is the third defendant in the suit filed by the first respondent herein for mandatory and permanent injunction. The petitioner filed petition to reject the plaint on the ground that the plaint did not disclose any cause of action and as such it is not maintainable. The other ground raised by the petitioner is that the suit itself is undervalued and not properly valued for the prayer of injunction.

3. It is seen that the suit is valued under Section 27 (c) of Tamil Nadu Court Fees and Suits Valuation Act for the relief of permanent injunction for Rs.1000 and mandatory injunction valued at Rs.1000/- and paid the court fees a sum of Rs.75.50/- each where the subject matter of the market value, court fee shall be computed and the amount which relief sought is valued in the plaint or Rs.1,000/- whichever is higher. Accordingly, the first respondent has valued the suit property for Rs.1,000/- each and paid Rs.75.50 for each. Therefore, the first respondent rightly paid correct court fees.

4. In respect of the other ground raised by the petitioner, the cause of action for initiation of suit. On perusal of the cause of action, it is clear that the first respondent had disclosed cause of action against the petitioner to lay the suit. Therefore, the court below rightly dismissed the petition and this Court finds no irregularity or infirmity in the order passed by the court below.

5. Accordingly, this civil revision petition is dismissed. Consequently, connected miscellaneous petition is closed. No order as to costs.

06.01.2021

Speaking/Non-speaking order
Index : Yes/No
Internet : Yes/No
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G.K.ILANTHIRAIYAN,J.

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To

The District Munsif cum Judicial Magistrate,
Sriperumbudur.



CRP.PD.No.2200 of 2015

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