



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Tuesday, the Twentieth day of July Two Thousand and Twenty One
PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP(MD) No.5555 of 2021
IN
AS(MD)No.16 of 2021

M.JEYARAMAN

... PETITIONER/APPELLANT

Vs

K.GANESAN

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to direct the High Court Registry to refund the excess court fees of Rs. 70,820 paid by petitioner in the first appela in AS(MD) No. 16 of 2021.

Prayer in AS(MD) . 16/ 2021 :

Pleased to allow this Memorandum of appeal preferred by the appellant/plaintiff by setting aside the decree and judgement in OS No.156 of 2014 dated 13.03.2020 on the file of the Honourable V Additional District Judge, Madurai.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.P.GANAPATHI SUBRAMANIAN, Advocate for the petitioner and of Mr.V.OM.PRAKASH, Advocate on behalf of the Respondent, the court made the following order:-

The plaintiff in O.S.No.156 of 2014 on the file of the 5th Additional District Judge, Madurai is the appellant in this appeal. The suit was dismissed. In this appeal, the plaintiff paid the very same Court fee which he paid before the Court below. In the mean while, Tamilnadu Court Fees and Suit Valuation Act has been amended and now, it is enough if the party pays @ 3%. The petitioner had however paid at the rate of 7 ½ %. It is seen that the petitioner has paid a sum of Rs.70,820/- in excess. Therefore, this civil miscellaneous petition has been filed for refund.



2. No exception can be taken to the request made by the petitioner. This petition is allowed. Registry is directed to refund the excess Court fee of Rs.70,820/- to the petitioner/appellant at the earliest.

sd/-
20/07/2021

WEB COPY

/ TRUE COPY /

21/12/2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

THE V ADDITIONAL DISTRICT JUDGE,
MADURAI.

COPY TO:

- 1 THE SUB ASSISTANT REGISTRAR,
APPEAL EXAMINER SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI
- 2 THE SECTION OFFICER
JUDICIAL POSTING SECTION
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CMP(MD) No.5555 of 2021
IN
AS(MD) No.16 of 2021
Date :20/07/2021

SA/VR/SAR.2/21.12.2021/2P/4C