



C.R.P (PD) No.1536 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2022

CORAM: **JUSTICE N.SESHASAYEE**

C.R.P (PD) No.1536 of 2022
and C.M.P. No.7776 of 2022

D.Rajeswari Deepak

... Petitioner

Vs.

R.Govindasamy

... Respondent

PRAYER: The Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the fair and decretal order dated 17.12.2021 made in I.A. No.01 of 2021 in O.S. No.224 of 2019 on the file of the District Munsif Court, Chengalpattu.

For Petitioner : Mr.R.Marudhachalamurthy

For Respondent : Mr.V.Rajesh



C.R.P (PD) No.1536 of 2022

WEB COPY

ORDER

In a suit where the plaintiff has chosen to challenge certain sale deed and has valued the suit under Section 25(d) of the Tamil Nadu Court Fees and Suits Valuation Act, 1955. This was challenged by the defendant and for which, he took out an application in I.A. No.1 of 2021 under Order VII Rule 11 CPC. The trial court has considered this application and has held that, inasmuch as the plaintiff is not a party to the impugned sale deed, valuation under Section 25(d) is well founded.

2. This court heard the learned counsel appearing for both sides.

3. This court is satisfied with the view of the trial court and does not intend to interfere with the same. However, this will not preclude the revision petitioner/defendant from raising it as an issue in the written statement and the court may also frame such an appropriate issue for the purpose.



C.R.P (PD) No.1536 of 2022

4. Accordingly, the revision petition is dismissed. However, there is no order as to costs. Consequently, the connected civil miscellaneous petition is closed.

28.04.2022

Asr

To
The I Additional District Judge, Coimbatore

N.SESHASAYEE, J.,



WEB COPY



C.R.P (PD) No.1536 of 2022

Asr

C.R.P (PD) No.1536 of 2022
and C.M.P. No.7776 of 2022

28.04.2022