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O.A.No.262 of 2021 &
CS.No.166 of 2021 &
CS.No.28 of 2022

P.VELMURUGAN, J.

This Court by its order dated 02.03.2022 directed the first Defendant in CS.No.166 of 2021 who is the plaintiff in CS.No.28 of 2022 to pay necessary court fee for the market value of the property, for which, he claim adverse possession in the written statement, since as per section 30 of the Tamil Nadu Court Fees Act, if a defendant seeks adverse possession in the written statement, it can be treated as counter claim even otherwise, he has to pay the court fees for the value of the property which he claims adverse possession.

2. As the order of this Court dated 02.03.2022 has not been complied with, the written statement filed by the first defendant in CS.No.166 of 2021 cannot be treated as counter claim and the defendant is at liberty to proceed with the written statement without the plea of adverse possession.

3. The parties are directed to file their draft issues, if any, on or before 22.03.2022.



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4. Post the matter for framing issues on 23.03.2022.

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21.03.2022



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21.03.2022