



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Civil Appellate Jurisdiction)

Wednesday, the Sixteenth day of March Two Thousand Twenty Two

PRESENT

THE HON`BLE MR.JUSTICE K.KALYANASUNDARAM

AND

THE HON`BLE MR.JUSTICE V.SIVAGNANAM

CMP.No.20090 of 2021

IN CMA.No.2322 of 2018

N.SAYEE SUBRAMANIAM

[PETITIONER]

Vs

1 LAKSHMI

[RESPONDENTS]

2 BAJAJ ALLIANZ GENERAL INSURANCE CO LTD,
6TH FLOOR, PRINCE TOWERS, COLLEGE ROAD,
NUNGAMBAKKAM, CHENNAI
(CURRENTLY SHIFTED TO NEW NO.497 AND 498,
5TH FLOOR, POONAMALLE HIGH ROAD,
ISANA KATTIMA BUILDING, CHENNAI 600106.

3 RAVISHANKAR

4 DIVISIONAL MANAGER,
THE NEW INDIA ASSURANCE CO. LTD,
NO.69/70, SEKKIPETTAI NAIDU STREET,
KANCHIPURAM.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to refund the court fee paid by the Petitioner/Petitioner to the tune of Rs.1,49,372.50/- (Rupees One Lakh Forty Nine Thousand Three Hundred and Seventy Two and Fifty Paise Only) (IN CMP.No.20090 of 2021).

Order : This petition coming on this day for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.S.S.RAJESH, Advocate for the Petitioner and of MR.S.ARUNKUMAR, Advocate for the 2nd Respondent, the court made the following order:-



This petition has been filed seeking refund of Court Fee paid by the petitioner to the tune of Rs.1,49,372.50/-

2. Heard Mr.S.S.Rajesh learned counsel for the petitioner and Mr.S.Arunkumar, learned counsel for the second respondent.

3. The petitioner is the claimant in MCOP.No.300 of 2013 on the file of the Motor Accidents Claims Tribunal, Tiruvannamalai. Not being satisfied with the award passed by the Tribunal, he preferred appeal and the same was disposed of on 07.01.2020.

4. The learned counsel appearing for the petitioner would state that the petitioner is the injured claimant and he needs money for future treatment.

5. Perusal of records reveal that the petitioner had come up before this Court for enhancement of compensation and he also paid requisite Court Fee. After disposal of the CMA, this application has been filed. Since there is no provision permitting the claimants seeking refund of Court Fee, we are unable to agree with the submissions of the learned counsel for the petitioner.

6. We find no merit in this Petition. Therefore, the petition stands dismissed. No costs.

-sd/-

16/03/2022

/ TRUE COPY /

Sub-Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

THE SPECIAL JUDGE,
MOTOR ACCIDENTS CLAIMS TRIBUNAL,
TIRUVANNAMALAI.

Order
in
CMP.No.20090 of 2021

IN CMA.No.2322 of 2018

Date :16/03/2022

From 26.2.2001 the Registry is issuing certified
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