



C.R.P (MD) No.2208 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 28.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

C.R.P (MD) No.2208 of 2015

and

CMP (MD) No.1 of 2015

Devandran

... Petitioner

Vs

1.Rengammal

2.Jeyalakshmi

3.Minior Thavamani

4.Minior Kanna

(Minors 3 and 4 represented by
through its natural guardian and
mother the first respondent
herein)

5.The President,
Tamil Nadu Electricity Board,
TANGEDCO,
Chennai.

6.The Superintendent Engineer,
(Operation and Maintenance),
TANGEDCO, Pudukottai.

7.The Assistant Engineer,
(Operation and Maintenance),
TANGEDCO Sub Station,
SIPCOT, Pudukottai.

... Respondents



C.R.P (MD) No. 2208 of 2015

PRAYER: Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the fair and decreetal order dated 26.03.2015 made in P.O.P.No.16 of 2010 on the file of the Principal District Judge, Pudukottai and allow this civil revision petition.

For Petitioner : Mr.G.Sridharan

For Respondent : No appearance

ORDER

This Civil Revision Petition is filed as against the fair and decreetal order dated 26.03.2015 made in P.O.P.No.16 of 2010 by learned the Principal District Judge, Pudukottai.

2.Respondents 1 to 4 have filed the above petition in P.O.P.No.16 of 2010 to declare themselves as paupers as they do not have sufficient means to pay the Court fee for filing a suit seeking compensation for the death of one Karuppaiah, who is the husband of the first respondent and father of the respondents 2 to 4. The trial Court allowed the petition. Aggrieved over the same, the present civil revision petition has been filed by the petitioner.



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3.The learned Counsel for the petitioner submits that respondents 1 to 4 are having sufficient means to pay the Court fee and they are having properties worth about Rs.5,00,000/- and the first respondent is earning Rs.6,000/-. While so, respondents 1 to 4 cannot be declared as paupers.

4.There is no representation for the respondents.

5.It is the case of respondents 1 to 4 that the first respondent's husband and the father of respondents 2 to 4 one Karuppaiah died due to electrocution and therefore, they are intending to file a suit for compensation. However, they claim that there is no sufficient means for them to pay court fee of Rs.75,000.50 for seeking Rs.10,00,000/- as compensation. The petitioner states that the private respondents are having sufficient means to pay the court fee. The trial Court has held that though the property stands in the name of the first respondent's father-in-law, there is no evidence to show that respondents 1 to 4 are getting income from the said property and the income of the first respondent is fixed



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as Rs.3,000/- based on the evidence. Therefore, respondents 1 to 4 have been declared as paupers. This Court is of the view that there is no reason to interfere with the orders of the trial Court.

6.In the result, this civil revision petition stands dismissed. No costs. Consequently connected miscellaneous petition also stands dismissed.

28.07.2022

dsk

To

The Principal District Judge,
Pudukottai.



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B.PUGALENDHI , J.

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