



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.03.2022

CORAM

THE HONOURABLE MRS.JUSTICE S.ANANTHI

CRP(MD).No. 1762 of 2021

R.Kaverisamy .. Petitioner/Petitioner/ Plaintiff
Vs.

C.Vanitha .. Respondent / Respondent/ Defendant

Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India to set aside the petition and order in I.A.No.191 of 2021 in O.S.No.119 of 2015 dated 25.03.2021 on the file of the Principal Sub Court, Madurai.

For Petitioner ... Mr.A.Haja Mohideen
For Respondent ... No appearance

ORDER

Heard the learned counsel appearing for the petitioner.

2. The revision petitioner / plaintiff filed this revision to refund the Court fee paid in O.S.No.119 of 2015 on the file of Principal Subordinate Court, Madurai since he has withdrawn the suit on the ground that previous suit was already decreed. There is no settlement entered into between the parties to withdraw the present suit. As per the order passed in SLP.No.30664 of 2021 if the plaintiff withdraw the suit after providing the settlement he can entitle for refund of Court fee. But, in this case already evidence were recorded. Further, the matter is not settled between the parties.

3. The plaintiff has withdrawn the suit only after giving up the relief and hence, this Court is not inclined to interfere with the order passed by the Court below.

4. Accordingly, this Civil Revision Petition is dismissed by confirming the order dated 25.03.2021 passed in I.A.No.191 of 2021 on the file of the Principal Sub Court, Madurai. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)



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To
The Principal Sub Court, Madurai.

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