



CRP No.4342 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2023

CORAM :

THE HONOURABLE MRS. JUSTICE T.V. THAMILSELVI

Civil Revision Petition No.4342 of 2023

1. K.R.Manjula
2. V.K.Venkatachalapathy Setty ... Petitioners

Vs.

1. Smt.Seluvamma
2. Jaya Prakash
3. Raghavendra
4. Soundravalli ... Respondents

Prayer : Civil Revision Petition filed Under Article 227 of Constitution of India, praying to set aside the fair and decreetal order dated 01.02.2020 made in I.A.No.517 of 2013 in O.S.No.83 of 2008 on the file of District Munsif-cum-Judicial Magistrate, Denkanikottai.

For Petitioners : Mr.S.Kumaresan

ORDER

This Civil Revision Petition has been filed to set aside the fair and decreetal order dated 01.02.2020 made in I.A.No.517 of 2013 in



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O.S.No.83 of 2008 on the file of District Munsif-cum-Judicial Magistrate,
Denkanikottai.

2. The Trial Court had directed the revision petitioners/plaintiffs to pay the deficit Court fee for the suit claim. Accordingly, the petitioners complied with the said order, but the Trial Court erroneously rejected the plaint by stating that the correct court fee has not been paid within the stipulated period.

3. On perusal of the memo, it is seen that as per the direction of the Court, the petitioners/plaintiffs have paid Rs.3,000/- as Court fee and the memo of calculation also has been submitted by them, but the Trial Court erroneously rejected the plaint without recording the said memo.

4. Moreover, the suit was filed by the petitioners/plaintiffs in the year 2008, but all of a sudden, the Trial Court rejected the plaint, which is erroneous and hence, the same is liable to be set aside and accordingly, the fair and decreetal order dated 01.02.2020 made in I.A.No.517 of 2013 in O.S.No.83 of 2008 is set aside.



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5. Accordingly, this Civil Revision Petition Allowed. No costs. The

learned Trial Judge is directed to take the case on file and proceed with the matter and accordingly dispose of the same within a period of two months from the date of receipt of a copy of this order.

05.12.2023

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation: Yes/No
mp

To

1. The District Munsif-cum-Judicial Magistrate, Denkanikottai.
2. The Section Officer,
VR-Section, High Court of Madras.



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T.V.THAMILSELVI, J.

mp

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