



C.R.P.(MD)No.2116 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 19.09.2024

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**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

C.R.P.(MD)No.2116 of 2024  
and  
C.M.P.(MD)No.12076 of 2024

Paneer @ Paneerselvam

... Petitioner / Plaintiff

Vs.

1.Ramakrishnan

2.S.Chandrasekaran

... Respondents / Defendants

**Prayer:** Civil Revision Petition is filed under Article 227 of the Constitution of India, to set aside the order passed in O.S.No.19 of 202, dated 09.02.2024 on the file of the Principal Subordinate Judge, Kumbakonam.

For Petitioner : Mr.A.George Stephen Kanikkairaj

### **ORDER**

Heard the learned counsel appearing for the revision petitioner.



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2. The petitioner herein filed O.S.No.19 of 2022 on the file of the Principal Sub Court, Kumbakonam seeking the relief of declaration as well as recovery of possession. The defendants had filed written statement. The defendants had also questioned the suit valuation as well as payment of court fee. There upon, the court below framed the said issue as the preliminary issue. The court below had noted that in the sale agreement dated 22.12.2016 to which the plaintiff is a party, the suit properties had been valued at Rs.36,28,800/-. Even in the settlement deed standing in the name of the plaintiff, the suit properties had been valued at Rs.32,84,100/-. The court below therefore came to the conclusion that when the plaintiff himself had accepted the valuation of the suit property at Rs.32,84,100/-, the plaintiff cannot be permitted to adopt the guideline value of Rs.1,89,864/-.

3. In this view of the matter, the court below vide order dated 09.02.2024 had directed the plaintiff to pay the deficit court fee and re-present the plaint before the Court of appropriate pecuniary jurisdiction. The said order does not call for interference. Proper reasons have been given by the court below. Interference is not warranted.



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4. The Civil Revision Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

**19.09.2024**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No  
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To:

The Principal Subordinate Judge, Kumbakonam.



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**G.R.SWAMINATHAN, J.**

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