



WEB COPY

CMP No. 20143 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2025

CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

CMP No. 20143 of 2024

AND

AS SR NO. 102977 OF 2024

1. R.Vithia

W/o. Raju, No.22, 8th Cross Street,
Ezhil Nagar, Muthialpet, Pondicherry,
res. at C/o. T. Revathy, No.15, 2nd
Cross Ezhil Nagar, Near Iyannar Koil,
Puducherry - 003.

Appellant(s)

Vs

1. M. Inba Anandhi

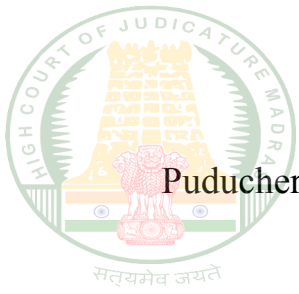
W/o. Murugan, No.9, I Cross Street,
Krishna Nagar, Lawspet, Pondicherry.

2.P. Raju

S/o. Periyasamy, No.22, 8th Cross
Street, Ezhil Nagar, Muthialpet,
Pondicherry.

3.The District Collector

I- Floor, New Collectorate Building,
Vazhuvor Road, Pettaiyanchathiram,



CMP No. 20143 of 2024



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Respondent(s)

CMP No. 20143 of 2024

PRAYER

To permit the petitioners to file the present appeal as indigent persons by an order of exemption of Court fee for a sum of Rs.204259 in the above Appeal Suit filed against the judgment and Decree dated 05.04.2024 made in OS No.176 of 2018 by the Learned III Additional District Judge at Pondicherry.

CMP No. 20143 of 2024

For Appellant(s): P. Suresh Babu

For Respondent(s): No Appearance

For R1 & R2

Mr.R.Sreedhar AGP

(Puducherry) For R3

ORDER

(Order of the Court was made by S.M.Subramaniam J.)

The 1st respondent herein had instituted a money suit in O.S.No.176 of 2018 before the file of III Additional District Judge, Puducherry. The suit was decreed in favour of the plaintiff. The 1st defendant in the suit is the petitioner /appellant before this Court in Appeal Suit.



2. This Miscellaneous Petition has been filed to declare the petitioner as indigent person for grant of waiver of Court Fee.

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3. In this regard, the learned Additional Government Pleader appearing on behalf of the 3rd respondent submitted a copy of the order passed by the District Collector. Pertinently, the 2nd respondent/Mr.P.Raju, is the husband of the petitioner, and the money suit was instituted against both the petitioner and the 2nd respondent.

4. As per the report of the District Collector, the 2nd respondent is employed as a Deputy Commercial Tax Officer, Commercial Taxes Department, Puducherry. Further, the son of the petitioner is pursuing M.Sc. (Bio Technology) course at a private college in Porur, Chennai.

5. During the course of inquiry, the District Collector found that the petitioner cannot be declared as an indigent person. When the money suit itself was instituted against the petitioner and her husband, who is working as Deputy



Commercial Tax Officer, Commercial Taxes Department, Puducherry, there is no reason to interfere with the findings made by the District Collector.

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Moreover, it is established that before the Trial Court in the civil suit, both the petitioner and the 2nd respondent engaged a single advocate to represent their case.

6. That being the factum established, the Civil Miscellaneous Petition stands dismissed. The petitioner is granted four (4) weeks' time to pay the Court Fee, failing which the Appeal Suit at the SR stage will automatically stand dismissed.

(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

11-03-2025

Jeni

Index: Yes/No

Speaking/Non-speaking order

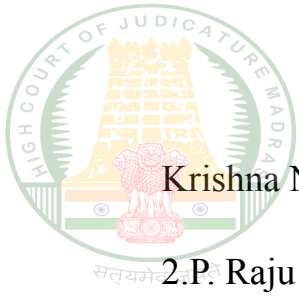
Internet: Yes

Neutral Citation: Yes/No

To

1.M. Inba Anandhi

W/o. Murugan, No.9, I Cross Street,



CMP No. 20143 of 2024



Krishna Nagar, Lawspet, Pondicherry.

2.P. Raju

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I- Floor, New Collectorate Building,
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Puducherry – 009.

4.The III Additional District Judge,
Pondicherry.



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**S.M.SUBRAMANIAM
J.
AND
K.RAJASEKAR J.**

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