



CMP(MD) NO. 4188 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01-04-2025

CORAM
THE HONOURABLE MR JUSTICE P.VADAMALAI

CMP(MD) NO. 4188 of 2025

IN

AS(MD) NO. 227 of 2019

K.Kayalvizhi (Died), 2) Meenavinodhini
W/o.Late.Kasi Viswanathan, South Street, Kodangipatti, Theni
Taluk and District.

Petitioner(s)

Vs

G.Vanaja Ganapathi,
W/o.Ganapathi, 79, Narandradev Street, Samatharmapuram,
Theni Taluk and District.

Respondent(s)

For Petitioner(s):
Mr.N.Kamesh

ORDER

This Civil Miscellaneous Petition has been filed seeking order to permit the petitioner/Ms.Meenavinodhini to receive the Court fee on behalf of her deceased mother/Ms.Kayalvizhi based on the judgment passed by this Court on 25.02.2020 in A.S.(MD)No.227 of 2019.

2. Heard the learned counsel for the petitioner, and I have perused the affidavit

filed in support of this petition, and have also perused both the death certificate as

<https://www.mhc.tn.gov.in/jsp>



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well as the legal heirship certificate of the deceased Kayalvizhi.

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3. The learned counsel for the petitioner submitted that the respondent/plaintiff has filed a money suit against the appellant/defendant for recovery of a sum of Rs.14,25,071/- (Rupees Fourteen Lakhs Twenty Five Thousand and Seventy One only) with subsequent interest and cost, and the said suit was decreed on 12.07.2019. Aggrieved by the said decree and judgment, the defendant/petitioner's mother filed an Appeal Suit, in A.S.(MD)No.227 of 2019, before this Court.

4. When the said Appeal Suit was pending, both the parties mutually settled the matter out of Court. Recording the same, this Court dismissed the said Appeal Suit as settled out of Court with a direction given to the Registry to refund the Court fee to the petitioner's mother/appellant therein as per law.

5. Further, the learned counsel for the petitioner submitted that after dismissal of the Appeal Suit, the appellant died leaving behind the petitioner herein/Ms.Meenavinodhini as her only legal heir. Accordingly, the petitioner herein has filed a petition, in C.M.P.(MD)No.10688 of 2024, before this Court to accept the cause title and the same has also been ordered on 21.01.2025.

6. Now, the petitioner herein has filed the present Civil Miscellaneous Petition seeking order to permit her to receive the Court fee on behalf of her deceased mother.

7. Considering the above facts and circumstances of the case, and also



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considering the reasons stated in the affidavit filed in support of this petition, this
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Court is inclined to allow this petition.

8. Accordingly, this Civil Miscellaneous Petition is allowed. Registry is directed to refund the Court fee to the petitioner herein/Ms.Meenavinodhini as per rules.

sd/-
01/04/2025

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/04/2025

Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

mkn
TO

THE ADDITIONAL DISTRICT JUDGE, (FTC), THENI.

ORDER
IN
CMP(MD) No.4188 of 2025
IN
AS(MD) No.227 of 2019
Date :01/04/2025

NBF/SAR/ (15/04/2025) 3P/2C

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