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CMP(MD) Nos.19209 & 19210
in SA(MD) Nos.340 & 339 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08-12-2025

**CORAM
THE HONOURABLE MR JUSTICE K.MURALI SHANKAR**

C.M.P(MD) Nos.19209 and 19210 of 2025
in S.A(MD) Nos.340 and 339 of 2021

1.M/s.K.V.A. Brothers Transport,
represented by its Managing Partner,
K.V.Alagesan.

2.K.V.Alagesan

3.A.Gomathi

: Petitioners
(in both petitions)

Vs.

M/s.Karur Ramavilas Corporation,
represented by its Power of Attorney Holder,
V.Balasubramanian.

: Respondent
(in CMP(MD)No.19209 of 2025)

M/s.Jayaram Enterprises,
represented by its Power of Attorney Holder,
V.Balasubramanian.

: Respondents
(in CMP(MD)No.19210 of 2025)

(in both petitions)

For Petitioners : Mr.A.Rajasekaran,

For Respondents : Mr.P.Athimoola Pandian.



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Prayer in CMP(MD)No.19209 of 2025 :This Civil Miscellaneous Petition filed under Section 151 of C.P.C., to direct the Registry to refund the amount of Court fee Rs.35,100/- paid by the appellants in S.A(MD)No.340 of 2021.

Prayer in CMP(MD)No.19210 of 2025 :This Civil Miscellaneous Petition filed under Section 151 of C.P.C., to direct the Registry to refund the amount of Court fee Rs.21,010/- paid by the appellants in S.A(MD)No.339 of 2021.

COMMON ORDER

The above petitions have been filed seeking orders to refund the Court fee Rs.35,100/- paid by the appellants in S.A(MD)No.340 of 2021 and Rs.21,010/- paid by the appellants in S.A(MD)No.339 of 2021.

2.The learned counsel appearing for the petitioners would submit that since the matter was settled out of the Court, they are entitled to get the refund of the Court fee.

3. It is evident from the records that the learned counsel for the respondents submitted before this Court that the matter has been settled between the parties and FS memo was filed before the Executing Court and on that basis, attachment was



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raised and execution petition was terminated and that the matter has become infructuous. Recording the same, this Court passed the judgment in second appeals on 29.07.2024 dismissed as infructuous.

4.As the appeals were dismissed as infructuous, refund of Court fee does not arise, making these petitions not maintainable.

5. Accordingly, these Civil Miscellaneous Petitions are dismissed.

08-12-2025

das

To

1. The Principal District Judge, Karur.
- 2.The Principal Subordinate Judge, Karur.
- 3.The Section Officer, VR Section,
Madurai Bench of Madras High Court, Madurai.



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K.MURALI SHANKAR,J.

das

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