



WEB COPY

CMP No. 30748 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-03-2026

CORAM

THE HON'BLE MRS.JUSTICE N. MALA

CMP No. 30748 of 2025

AND

AS NO. 947 OF 2019

Shanthi

W/O Arjunan No.17/1, Sampath St., Shankanur,
Coimbatore - 27 Now Residing At No S1/178,
C.K.Colony, New Chittapudur, Coimbatore 44

..Appellant(s)

Vs

1. D. Nandakumar
S/O Late Duraisamy, No.4A, Sowripalayam
Road, Peelamedupudur, Coimbatore - 4.
2. L. Manikandan
S/O Lincon, No.9A, I St., Vishwnathapuram,
Thudiyalur, Coimbatore - 34. Now Residing At
Site No.10, Pon Ananda Munusamy Nagar,
V.S.K.Nagar, Thoppampatti Road,
Vadamadurai, Coimbatore.

..Respondent(s)

AS No. 947 of 2019

Mrs.Shanthi

W/o Arjunan

No.17/1, Sampath St.,

Shankanur,

Coimbatore - 27

Now Residing At

No S1/178, C.K.Colony,

New Chittapudur,

Coimbatore - 44

..Appellant(s)

Vs

1. Nandakumar.D
S/o Late Duraisamy Naidu,
No.4a, Sowripalayam Road,



Peelamedupudur,
Coimbatore - 4.

2. L.Manikandan,s/o Lincon

No.9a, I St.,
Vishwnathapuram,
Thudiyalur,
Coimbatore - 34.

Now Residing At Site No.10, Pon Ananda
Munusamy Nagar,
V.S.K.Nagar,
Thoppampatti Road,
Vadamadurai, Coimbatore.

..Respondent(s)

CMP No. 30748 of 2025

To pass an order to refund the court fee as per the order dated 25.04.2025 in A.S.No.947/2019 made by this Honble Court to the petitioner filed along with the change of Vakalat and pass such further or other orders as this Honble Court.

AS No. 947 of 2019

To modify the decree and judgement dt.15.12.2018 in O.S.No.451/2015 on the file of the I Additional District Judge, Coimbatore.

CMP No. 30748 of 2025

For Appellant(s): P.Gunaraj
N. SaiSathiyaBama

For Respondent(s):

Order

- (1) The petition is filed to pass an order to refund the Court fee as per the order dated 25.04.2025, made in AS.No.947/2019, by this Court along with the change of Vakalat.



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- (2) The petitioner states that the petitioner filed the appeal in AS.No.947/2019 against the judgment and decree dated 05.12.2018, in OS.No.451/2015, on the file of the learned I Additional District Judge, Coimbatore. In the said appeal, an out of Court settlement was arrived at between the parties and hence, the appeal was dismissed as withdrawn. This Court, in the aforesaid judgment and decree dated 25.04.2025, in view of the out of Court settlement, directed the Registry to return the Court fee paid in the above appeal by the petitioner. The petitioner further stated that she paid the Court fee of Rs.2.10 lakhs at the time of filing of the appeal and as per the order of this Court, the petitioner is entitled to the return of Court fee as per Rules. The petitioner states that the petitioner changed the counsel on record by getting consent from the earlier counsel and along with the memorandum for return of Court fee, filed a change of Vakalat. However, the said Vakalat was returned twice and therefore, the petitioner was constrained to file the present petition to accept the change of Vakalat and also the memorandum of return of Court fee.
- (3) This Court, in its judgment dated 25.04.2025, while permitting the petitioner to withdraw the appeal as settled out of Court, directed the Registry to refund the Court fee to the appellant/petitioner as per law.
- (4) The petitioner is therefore entitled to refund of Court fee and for the purpose of processing the refund of Court fee, the petitioner has engaged



the present counsel on change of Vakalat.

- (5) Under the circumstances, this petition is **allowed** and the Registry is directed to accept the change of Vakalat and also to process the refund of Court fee as per law, to the petitioner as directed by this Court in its judgment and decree dated 25.04.2025 in AS.No.947/2019.

24-03-2026

AP

Internet: Yes

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To

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AS No. 947 of 2019

To

1. Nandakumar.D
S/o Late Duraisamy Naidu,
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N.MALA J.

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