



WEB COPY



A.No.1032 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2026

CORAM

THE HON'BLE DR.JUSTICE A.D.MARIA CLETE

A No. 1032 of 2026

in

C.S. No. 150 of 2024

Akila Thiruvandancore Siddha Vaidhya Sangam
Munichirai, Pudukadai Post - 629171. K.K.Dist,
Having its branch office at No.17, C.K.Street,
Ayanavaram, Chennai - 600023. Rep by its
Director, Acting president Mr.L.Noelraj.

..Applicant(s)

Vs

1. A.T.S.V.S.Siddha Medical College and Hospital
Run by Akila thiruvandancore Siddha Vaidhya
Sangam, Munichirai, Pudukadi Post,
Kanyakumari District - 629171. Rp by its Iterim
Administrator, Justice A.Ramamurthy,
S/o.Anganan, Plot No.9, HIG, TNHB Phase II,
Nolambur, Mugappair West, Chennai - 600 037.
2. Dr.T.Radhakrishnan
The President,
M/s. Akila Thiruvathancore Siddha Vaidya
Sangam,
(The Trust company incorporated under Indian
Companies Act 1956 in Regd.No.003657 dated
04/02/1959)
Munchirai, Puthukadai Post,
Kanyakumari District-629171,
Tamil Nadu.
(2nd Deffendant impleaded as per order dated
21/04/2025 in A.No.464/2025)

..Respondent(s)



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To refund the Court Fee paid in C.S.No.150 of 2024 to the tune of Rs.2,91,100/- (Rupees Two Lakhs Ninety One Thousand Hundred only) as per Receipt of Nos.TNCT0204C2431M540, dated 02/03/2024 and to the tune of Rs.10,135/- (Rupees Ten Thousand One Hundred and Thirty Five only) as per Receipt No.TNCTO1331234490056. As on Sep 2023 in C.S.No.150 of 2024 memo of valuation court fee paid is Rs.3,01,235/- as the plaintiff has withdrawn the suit and disposed on 22/10/2025 by this Honble court thus entitle for Rs.3,01,235/- to the Plaiintiff Mr.Noelraj.

For Applicant(s): M/s.P.Padmashwari
Dr.Christurajamani
M.Judson Jeba Kumar

For Respondent(s): Mr.K.S.Balaji Venkatesh for D1.

ORDER

This application has been filed to refund the Court Fee paid in C.S.No.150 of 2024 to the tune of Rs.2,91,100/- (Rupees Two Lakhs Ninety One Thousand Hundred only) as per Receipt of Nos.TNCT0204C2431M540, dated 02/03/2024 and to the tune of Rs.10,135/- (Rupees Ten Thousand One Hundred and Thirty Five only) as per Receipt No.TNCTO1331234490056. As on Sep 2023 in C.S.No.150 of 2024 memo of valuation court fee paid is Rs.3,01,235/- since the plaintiff has withdrawn the suit and the same was disposed on 22/10/2025 by this Court, the plaintiff seeks for refund of Court fee to the tune of Rs.3,01,235/- to the Plaintiff Mr.Noelraj.



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2. It is seen from the records that the suit was dismissed as withdrawn on 22.10.2025. Though the plaintiff has sought for refund of court fee under Order XIV Rule 8 of the Original Side Rules read with Order 7 Rule 11 of CPC and Section 66 of the Tamil Nadu Court fee and Valuation Act holding Section 69A, he is not entitled for any refund of court fee in the manner known to law. Further, the Judgment of the Supreme Court relied on by the learned counsel for the applicant is not applicable to the facts of the present case, since the suit herein has been dismissed as withdrawn and has not been settled either privately or by mediation. Further, at the time of dismissing the suit, no order was passed regarding refund of court fee. This amounts to denial of such relief; hence, the plaintiff cannot maintain this petition separately.

3. Accordingly, this application is dismissed. No costs.

01-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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DR.A.D.MARIA CLETE, J.

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