



WEB COPY

CRP No. 6613 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-03-2026

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 6613 of 2025

and

CMP.No.32790 of 2025

1. A.Palani

S/o Late P.Arunachalam, No 35, 3rd
Street, Indira Nagar, Virugambakkam,
Chennai 600 092

Petitioner(s)

Vs

1. M.Esakkidevi

W/o Manikanda Muthukumaran, No
27/11, 4th Street, Indira Nagar,
Virugambakkam, Chennai 600 092.

Respondent(s)

PRAYER

Civil Revision Petition filed under Article 227 of Constitution of India prays to set aside the order dated 06.12.2025 (B-Diary) made in OS NO. 3813 of 2024 on the file of XIII Assistant Judge, City Civil Court, Chennai.

For Petitioner(s): B.Manimaran

For Respondent(s): M/s.V.Ravathi

ORDER

The revision petitioner filed this Civil Revision petition, praying to set



aside the order dated 06.12.2025 (B-Diary) made in OS NO. 3813 of 2024 on the file of XIII Assistant Judge, City Civil Court, Chennai.

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2. Challenging the B-diary order passed by the learned trial Judge regarding payment of court fee, the present revision has been filed by the plaintiff.

3. The trial court held that the court fee paid by the plaintiff is not sufficient and that the plaintiff has to pay court fee under Section 40 of the Tamil Nadu Court Fees Act.

4. The learned counsel for the revision petitioner / plaintiff submitted that the plaintiff is not a party to the document which is under challenge, and therefore payment of court fee under Section 25(d) of the Act is sufficient.

5. The learned counsel for the respondent also appeared and made submissions.

6. On considering the submissions made on both sides, the question whether the court fee paid is sufficient or not can be decided only at the time of



trial. The trial court is directed to frame an issue with regard to the sufficiency of court fee and decide the same during trial. At this stage, the (B-Diary) passed in OS NO. 3813 of 2024 by the learned XIII Assistant Judge, City Civil Court, Chennai, dated 06.12.2025, is unwarranted and is liable to be set aside.

7. Accordingly, the Civil Revision Petition is allowed. Consequently, connected miscellaneous petition is closed. No costs.

11-03-2026

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No
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To

1.M.Esakkidevi

W/o Manikanda Muthukumaran, No
27/11, 4th Street, Indira Nagar,
Virugambakkam, Chennai 600 092.

2.The XIII Assistant Judge, City Civil
Court, Chennai.

3.The section officer, VR-Section,
High Court of Madras.



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T.V.THAMILSELVI J.
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