

**IN THE COURT OF THE ADDITIONAL DISTRICT JUDGE
AT CHENGALPATTU**

**Present: Thiru.A.Saravanakumar.,B.A.B.L.,
Additional District Judge,
Chengalpattu.**

Thursday, the 8th day of January 2026

I.A.No.3/2024

in

O.S.No.96/2024

CNR.No:TNCG01-000777-2024

1.Mrs.A.Amudha

2.R,Anand

3.P.Rudhramoorthy

...Petitioners/Defendants 1 to 3

-Vs.-

1.E.Dhanasekaran

...1st Respondent/Plaintiff

2.E.Govindammal

...2nd Respondent/4th Defendant

This Petition coming before this court on 2.12.2025 for final hearing in the presence of M/s.R.Balachanderan, V.G.Guhan Murugan, S.Jothikumar, M.Gopi and V.Manimaran, counsels for the Petitioners/Defendants 1 to 3 and Mr.V.Agoram, counsel for the Respondent and upon hearing the arguments of both sides and perusing the material records and having stood over for consideration till this day, this Court delivered the following:-

ORDER

This petition has been filed under Section 12 of TamilNadu Court Fees and Suit Valuation Act, 1955 to direct the 1st respondent/plaintiff to value the Suit Relief No.1 namely Declaration of Plaintiff's Title over the suit property and the Consequential Relief of Injunction as per the value of the Suit property fixed u/s 47 (AA) of the Indian Stamp Act as Rs.2,87,76,000/- maintained by the Office of the Sub Registrar, Maduranthakam.

2. The Petition averments in brief as follows:-

The 1st to 3rd petitioners are the 1st to 3rd defendants in the original suit. The 2nd and 3rd petitioners are the 1st petitioner's husband and father-in-law. The 1st petitioner filing this affidavit on my behalf of other petitioners also. The 1st respondent filed the main suit (i) to declare the title of the Plaintiff over the schedule mentioned properties and pass a consequential decree of permanent injunction by restraining the defendants 1 to 3 their men, Agents, Servants, legal representatives and heirs from in any way interfere with the peaceful possession and enjoyment of the Plaintiff over the schedule mentioned properties. (ii) order to set aside or cancel the settlement deed dated 15.06.2012 executed in favour of the 1st Defendant in document No.4147/2012 of the Sub-Registrar Office, Maduranthakam; (iii) to declare the settlement deed dated 01.11.2023 executed by the 1st defendant in favour of the 2nd defendant Anandan in document No.5552/2023 of Sub-Registrar Office,

Madurantakam as null and void and not bind upon the plaintiff; the plaintiff identified the suit property located in Chengalpattu District, Maduranthakam Sub-Registrar Office, No.160, Kadapperi Village.

1. Nanja S.No. 24/3 to an extent of Ac.0.97 cents out of Ac.1.04 cents bounded on the South by plaintiff Dhanasekaran 0.07 cents well and land, East by Dhanasekaran lands in S.No.24/8, 24/4 and 24/7, West by S.No.24/2, North by S.No.24/1. Nania S.No.24/1 to an extent of Ac.0.68 cents out of Ac.0.99 cents; bounded on the North by Arumugam Road, East by S.No.24/1, West by S.No.23/5 and 21/3CB, South by S.No.24/2 and 24/3. Total Extent is Ac.1.65 cents. The plaintiff by suppressing the present Town Survey Number of the Suit Schedule property, by identifying the suit property in Old Survey Number that too deliberately by under valuing the suit property have filed the present suit. The present position of the suit property as per Town Survey Records are as follows: (a) The property in T.S.No.18/10, Old Survey Number 24/3, Block No.10, Ward No.B, Maduranthakam Town Panchayat, Maduranthakam Taluk, Chengalpattu District to an extent of 97 cents bounded on the North by T.S. No.18/9, South by T.S. No. 17/6, East by T.S. No.18/8, 18/4 and 18/7 and West by T.S. No. 18/2 in Arungunam Road, Kadaperi, Maduranthakam Town, Maduranthakam is the actual identify of the plaint schedule Item 1 property.

(b) The property in T.S. No. 18/9, Old Survey Number 24/1, Block No.10, Ward No. B, Maduranthakam Taluk. Chengalpattu Dist., to an

extent of 68 cents bounded on the north by Arungunam road, South by 18/2 & 18/10, East by 18/1 and West by 16/8 and 17/5 part in Arungunam Road, Kadaperi, Maduranthakam Town, Maduranthakam is the actual identify of the plaint schedule Item 2 property. (c) For the schedule Items 1 & 2 properties with correct identification Town Survey Extracts were also issued.

Under these circumstances, the value of the suit schedule properties comprised in Town Survey No. 18/9 and 18/10 of an extent of 1 acre 65 cents is fixed u/s.47(AA) of the Indian Stamp Act as Rs.400/- per sq.ft. as maintained by the Office of the Sub-Registrar at Maduranthakam as on the date of the Plaint. Hence, the value of the Suit property as per Section 47 (AA) is Rs.2,87,76,000/- and as such the plaintiff ought to have valued the suit property as Rs.2,87,76,000/- for the purpose of valuing the Relief No.1, to declare the title of the plaintiff over the schedule mentioned property and for the consequential relief of permanent injunction. However, the plaintiff deliberately undervalued the suit property as Rs.66,00,000/- and paid the Court Fee for such under value for the said relief of declaration and consequential injunction. It is necessary to decide on the materials and allegations contained in the plaint more particularly the statement of particulars of subject matters of the suit and plaintiff's valuation thereof and direct the plaintiff to value the suit correctly as Rs.2,87,76,000/- for the suit property for the purpose of valuing the Relief No.1 declaration of Title

and consequential injunction and pay the deficit Court Fee for such valuation. Hence the petition.

3.The averments in the counter filed Respondent in brief as follows:-

The petition is unsustainable both in law and on facts. This Respondent denies allegations set out in the petition except those that are specifically admitted. 3. The petition filed under section 12 of CPC is not at all maintainable. It is no doubt that the town survey number was omitted to be mentioned in the original plaint. The plaintiff did not voluntarily mentioned the new town survey number. In fact the plaintiff also filed the Town survey land register extract as document No.2 and 3 along with the plaint at the time of filing the suit and the same may be referred as part and parcel of this counter. The valuation made in the plaint is correct. The document created in document No.5552/2023 of Sub-Registrar Office, Madurantakam by the 1st defendant in favour of the 2nd defendant values the same. Even today it is a Nanja classification. No square feet value made in the Nanja land. Even town survey classification is only Nanja. The sq.feet rate will not in the suit property. The approved guide line value is also attached in the plaint. For reference the guide line value of the suit property dated 16.06.2024 is filed and the same may be referred as part hereof. The allegation in para No.6, the S.No. 18/9 and 18/10 of Town Survey is 400/- per sq.feet is specifically denied. The allegation it has been maintained by the office is not admitted by this defendant. There is no sq.feet at all. If at all the document dated 01.12.2023 it had been been registered on sq.feet

value. There is no sq.feet value in the suit property. Once its classified Nanja land there is no sq.feet value could be arrived. There is no town survey valuation separately. Without any proof, the petitioner filed this vexatious application. There is no merits in the petition at all. Only to drag the proceedings this vexatious petition is filed by the petitioner. All the allegations set out in the affidavit and petition are all incorrect. There is absolutely no merit in the present petition. Hence, the petition may be dismissed with cost.

4. The point for consideration:-

Upon the perusal of the petition, counter and other materials this court has framed the following point for consideration:

“Whether the petition is to be allowed or not”

5. Answer to the point:

This is an application under Section 12(2) TNCF Act to fix correct valuation of the suit property. The petitioners are the defendants in the original suit. The 1st to 3rd petitioners are the 1st to 3rd defendants in the original suit. The 1st respondent is the plaintiff therein. The 2nd respondent is the 4th defendant therein. The original suit was filed for the relief of declaration in respect of settlement deed dated 15.6.2012 and 1.11.2023 and also for the relief of permanent injunction. As per the plaint the suit schedule property is located in Nanja S.No.24/3 and Nanja S.No.24/1 in No.160 Kadapperi village, Maduranthakam Taluk, Chengalpattu District.

6. It is the submission of the petitioners that the value of the suit

schedule property comprised in Town survey No.18/9 and 18/10 of an extent of 1 acre 65 cents is fixed u/s 47 (AA) of the Indian Stamp Act as Rs.400/- sq.ft as per the record maintained by the office of Sub Registrar, Madurantakam as on the date of the plaint. Further in the plaint, the plaintiff/1strespondent has under valued the suit property. The 1st respondent ought to have valued the suit property as Rs. 2,87,76,000/- and he deliberately undervalued it as Rs.66,00,000/-. Therefore, the petitioner contents that direction may be issued to value the suit property properly and direct the 1st respondent to pay correct court fee.

7. Per contra, the 1st respondent has filed the counter wherein he submits that the court fee paid by him is proper. He has properly valued the suit schedule property. The suit schedule property is nothing but Nanja land. Therefore, the question of paying court fee on sq.ft rate will not arise. In order to drag the proceedings, the present petition is filed.

8. This court has considered the submissions of the both sides. The petitioners have relied upon the Ex.P1. Ex.P1 is the downloaded copy of the guideline value from the website of the registration department. A perusal of the said document would go to show that the valuation of Town Survey No. 18/9 has been shown as Rs.400/- sq.ft. Placing reliance upon the Ex.P1, the petitioners stated that the property has been undervalued. Further the perusal of the suit schedule property shown in the plaint would indicate that the suit schedule property is located in Nanja S.No.24/3 and 24/1. Along with the plaint the 1st respondent has produced the extract from

Town Survey land register. A perusal of the same would go to show that the property has been classified as Ryotwari Nanjai. While so, it is crystal clear that the suit property is only Nanja land.

9. Moreover, it is also pertinent to see that the plaintiff has claimed the relief of declaration in respect of settlement deed dated 15.6.2012 and settlement deed dated 1.11.2023. The court fee has also been paid u/s 40 of TNCF Act for the value shown in the settlement deeds. The court fee for the relief of declaration and consequential permanent injunction has been paid u/s 25(d) TNCF Act on the basis of Nanja lands.

10. Therefore, this court is of the view that as per the Ex.P1, the suit schedule property is not a residential type of land and the question of payment of court fee on the basis of the sq.ft rate does not arise. In view of the above said document this court holds that the suit property is valued properly and plaint valuation is proper in the eye of law. Consequently, this court is inclined to dismiss the petition.

In the result, the petition is dismissed. No cost.

Dictated to the Shorthand writer and typed by her and corrected and pronounced by me in open Court, this the 8th day of January 2026.

Additional District Judge
Chengalpattu.

List of Witnesses on Both sides:Nil

List of Exhibits on petitioners' side:

1.Ex.P1 – 23.2.2024 – Downloaded copy of guideline value.

List of Exhibits on Respondents' side:

1.Ex.R1 – 16.6.2024 - Downloaded copy of guideline value.

Additional District Judge
Chengalpattu.

Draft/Fair Order
I.A.No.3/2024 in
O.S.No.96/2024
Dated:08.01.2026
ADJ/CPT
