

IN THE COURT OF SUBORDINATE JUDGE OF PALLADAM

PRESENT: Thiru.K. Yuvaraj, B.A.,B.L.,
Subordinate Judge, Palladam

Wednesday of 06th August, 2025

IA No.4/2025
in
OS No.27/2025

Paul Ponraj

... Petitioner / Defendant

/Vs/

Samuvel

... Respondent / Plaintiff

This petition is coming on 16.07.2025 for final hearing before me in the presence of Thiru.A.H.Rahman,M.A.,B.L., Advocate for the Petitioner and Thiru.S.Senthilelangovan,B.A.B.L., Advocate for the Respondent. Upon hearing both side arguments and on perusal of all connected material records and having stood over till this day for consideration, this court delivered the following..

ORDER

This application was filed by the Petitioner / Defendant as against the Respondent / Plaintiff to direct the Respondent to pay a additional court fee of Rs.48,000/- for the hole suit property as per Section 25(b) of Tamil Nadu Court Fee and suit valuation Act.

2. The Learned counsel for the Petitioner / Defendant argued there is an Assembly Hall to an extent of 800 square feet with a ground floor and 1st

floor and residential house situated with ground floor and 1st floor in 400 square feet, thus 800 square feet construction house which is the part and parcel of the suit property. The relief sought was declaration of title but the plaintiff valued only for a vacant site. The PWD's nominal value for 800 square feet Assembly Hall is Rs.18 lakhs. Hence this application to direct the plaintiff to pay the additional court fee with respect to the constructed building thereon.

3. Per contra, The learned Counsel for the Respondent / Plaintiff argued that the plaintiff had paid the necessary court fees with respect to the guideline value as fixed by the Government, further the suit property building is about 21 years old. The request of court fee can be decided at the time of trial. Hence prayed for dismissal of this application.

II. Now point for consideration is whether this application is allowed?

1. Heard both sides. Perused entire records. On careful perusal of records admittedly this suit was filed by the Respondent / Plaintiff for the relief of declaration of title over the suit schedule property. Further on careful perusal of affidavit filed in support of this petition and as per arguments of the Learned Counsel for the petitioner the suit was under valued. Hence according to him as per PWD's guideline he wants the plaintiff to pay the necessary court fees.

2. Per contra, on hearing the arguments on the Learned counsel for the Plaintiff regrading the fixation of the court fees it can be decided at the time. Taking note of the fact that with respect to the determination of court fee with respect to Market value and guideline value over the suit property it can be decided during the course of trial. Hence at this point of time this

application is unwarranted and dismissed as such.

In the result, with this observation this application stands dismissed.
No costs.

Dictated to the stenographer, transcribed and typed out by her,
corrected and pronounced by me in open court this 06th August 2025.

Subordinate Judge,
Palladam.

Fair / Final Order

IA. 4/2025 in OS 27/2025

Date: 06.08.2025.