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CRP No. 2568 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

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THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRP No. 2568 of 2026

And

CMP.No.10839 of 2026

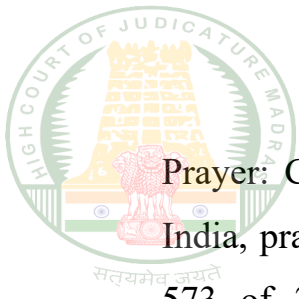
P.R.Thiruneelakandan,
S/o. Ramaiyan,
Paracting Advocate,
Office at No. 47, Armenian Street,
Oriental Insurance Building,
3rd Floor,
Chennai-01.

..Petitioner(s)

Vs

1. The Estate Officer
Life Insurance Corporation of India,
Southern Zonal Office,
No.153, Anna Salai,
Chennai-02.
2. Life Insurance Corporation of India
Rep. by its Secretary (Estates)
Southern Zonal Office,
No.153, Anna Salai,
Chennai-02.

..Respondent(s)



Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India, praying to set aside the order dated 06.03.2026 passed in CMA (Sr) No. 573 of 2026 by the learned Principal Judge, City Civil Court, Chennai, Consequently direct the court below to number the Statutory appeal filed under section 9 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 without insisting upon fresh court fee and pass such further or other orders as this Honble Court.

For Petitioner(s): MR.P.R.THIRUNEELAKANDAN P-IN-P

For Respondent(s): MR.R.S.ANANDAN FOR R1 & R2

ORDER

Civil Revision Petition has been filed seeking to set aside the order dated 06.03.2026 passed in CMA.(Sr).No.573 of 2026 by the learned Principal Judge, City Civil Court, Chennai, and for consequential direction to the Court below to number the statutory appeal filed under section 9 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 without insisting upon fresh Court Fee.

2.The case of the revision petitioner is that the respondents/LIC filed Petition No.4 of 2025 against the revision petitioner herein seeking eviction from the respondents' premises and the same was ordered by the 1st Respondent/Estate Officer by order dated 16.12.2025. The petitioner had



earlier preferred CMA.Sr.No.573 of 2026 before the learned Principal Judge, City Civil Court, Chennai, through e-filing after remitting the requisite Court

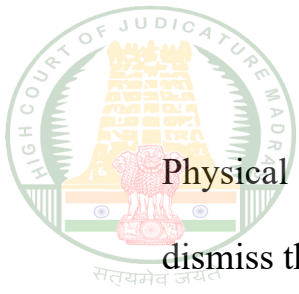
Fee. Suppressing the fact of the earlier e-filled appeal, the petitioner presented the present appeal in physical mode before the Registrar of the trial Court without remitting any Court Fee and requested adjustment of the Court Fee already paid. However, the Registrar of the Trial Court, without placing the said representation before the learned Principal Judge, City Civil Court, Chennai, rejected the request for adjustment of Court Fee by communication dated 24.03.2026. In the meantime, the learned Principal Judge, by order dated 06.03.2026 in CMA.Sr.No. 573 of 2026, rejected the appeal at the SR stage on the ground that the physical mode filing was not accompanied by Court Fee and on the alleged ground of “maintainability of multiple prayers”, without considering the fact that the Court Fee had already been paid through e-filing and that a request for adjustment was pending. The statutory appeal was thus rejected at the threshold without considering the material records and representations, Aggrieved by the same, the petitioner has come forward with the present Civil Revision Petition.

3.The learned Counsel for the revision petitioner submitted that the petitioner had preferred the statutory appeal on 06.01.2026 through e-filing along with requisite Court Fee. After rejection of the appeal in CMA.Sr.No.573 of 2026, the Registrar of the trial Court accepted the Court Fee already paid by



the petitioner. Upon return of the e-filing papers, the petitioner presented the very same appeal in physical mode and submitted memo of representations dated 12.01.2026, 27.01.2026 and 29.01.2026 seeking adjustment of the Court Fee already paid and “locked” the e-filing system. However, the learned Principal Judge rejected the statutory appeal filed by the petitioner at the SR Stage on the ground that the physical mode filing was not accompanied by Court Fee without advertng to the fact that the Court Fee had already been paid for the same appeal and without considering the request for adjustment. The rejection of the appeal at the SR stage, without granting such opportunity, is violative of principles of natural justice and amounts to failure to exercise jurisdiction vested under Section 9 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971. Therefore, the learned Counsel prays to allow the above Civil Revision Petition.

4.The learned counsel for the respondents submits that a separate Court Fee is required to be paid for physical mode filing, since the Court Fee paid in e-filing is stated to be “locked”. He further submits that the statutory appeal is not maintainable as it contains multiple prayers, whereas according to the Registrar of the Trial Court, the prayers ought to be confined only to setting aside the impugned order. He further submits that the appellant had already paid the Court Fee only in e-filing mode and not along with this appeal filed through



Physical Mode. Therefore, the learned Counsel for the respondents prayed to dismiss the above Civil Revision Petition.

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5. Heard both sides, and perused the materials available on record.

6. On perusal of the records, it reveals that the respondents filed Petition No.4 of 2025 against the petitioner seeking eviction from the respondents' premises. After perusing the records, the First Respondent/Estate Officer passed an order dated 16.12.2025. Challenging the same, the appellant had earlier preferred CMA.Sr.No.573 of 2026 before the learned Principal Judge, City Civil Court, Chennai, through e-filing after remitting the necessary Court Fee. Consequently, the petitioner presented the same appeal in physical mode before the Registrar of the trial Court without remitting any Court Fee and requested adjustment of the Court Fee already paid through e-filing. However, the Registrar of the Trial Court, without placing the said representation before the learned Principal Judge, City Civil Court, Chennai, rejected the request for adjustment of Court Fee by communication dated 24.03.2026.

7. It is also seen that the Court Fee had also paid by the appellant, and the same was accepted by the Registrar of the trial Court. However, the Registrar of the Trial Court has returned the said statutory appeal in CMA.Sr.No. 573 of 2026 raising the following objections.



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(i) that a separate Court Fee is required to be paid for physical filing since the Court Fee paid in e-filing is stated to be “locked”, and

(ii) that the statutory appeal is not maintainable as it contains multiple prayers, whereas according to the Registry, the prayer ought to be confined only to setting aside the impugned order.

8. It is a well settled principle of law that an appeal or petition presented before the Court without the requisite Court Fee does not amount to a valid presentation. It is, in fact, an improper presentation. However, the appellant has not filed any application in physical mode, hybrid mode, or electronic mode. As on date, some advocates have not proceeded with any application through electronic mode. However, the statutory appeal was rejected at the SR stage by the Trial Court on the ground that the Court Fee paid through e-filing was to be “locked”, and therefore, separate Court Fee has to be paid for physical filing. While that being the case, the trial Court rejected CMA.Sr.No.573 of 2026 without numbering, and without considering the entire facts. Therefore, the order dated 06.03.2026 passed in CMA.Sr.No.573 of 2026 by the learned Principal Judge, City Civil Court, Chennai is liable to be set aside. However, the appellant shall appear before the Appellate Authority in physical mode to raise all the points, and the same shall be decided at the time of outcome of the CMA.



9. Having considered the facts and circumstances of the case and the submissions made by the learned Counsel on either side, this Civil Revision Petition is disposed of. The impugned order dated 06.03.2026 passed in CMA. (SR).No.573 of 2026 by the learned Principal Judge, City Civil Court, Chennai, is hereby set aside. Further, the Court below is directed to number the Statutory Appeal in CMA.Sr.No.573 of 2026 filed by the appellant under Section 9 of the Public Premises (Eviction of Unauthorised Occupants) Act 1971, without insisting upon fresh Court Fee, within a period of two weeks from the date of receipt of a copy of this order and thereafter, dispose of the same on merits in accordance with law. Consequently, connected CMP.No.10839 of 2026 is closed. There shall be no order as to costs.

10. In furtherance of the above, the order dated 16.12.2025 passed by the First Respondent/Estate Officer in Petition No.4 of 2025 under Sub Section (1) (2) & (2-A) of Section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act 1971, the status quo shall be maintained until the outcome of the CMA.

18.06.2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MSM

Note: Registry is directed to return the original order.



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T.V.THAMILSELVI, J.

MSM

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