



**TAMIL NADU STATE JUDICIAL ACADEMY,  
REGIONAL CENTRE, COIMBATORE**

***Report of Webinar Session XXV for  
Senior Civil Judges  
(Conducted through CISCO Webex)  
On 27.02.2022 (Sunday) at 10.00 a.m.***

Webinar Session XXV for Senior Civil Judges was held on 27<sup>th</sup> day of February 2022 through Cisco Webex Platform conducted by the Tamil Nadu State Judicial Academy, Regional Centre, Coimbatore. 93 Senior Civil Judges were nominated for this programme.

**Webinar Session XXV** commenced with welcome address of the Deputy Director of the Tamil Nadu State Judicial Academy, Regional Centre, Coimbatore at 10:00 am.

Thereafter, a session on **“Issues regarding Valuation of Court fee and payment of proper court fee”** was taken by the learned resource person Thiru.P. Vijay Raghunath, Advocate, Coimbatore. The resource person started with a brief introduction of the Court fee Act. He explained Section 12 of the Tamil Nadu Court Fees and Suit Valuation Act, 1955 elaborately with illustrations. He also stated that Section 12 of the Court Fee Act will prevail over Order 14 of the Code of Civil Procedure, 1908 and invited the attention of the participants to the dictum of our Hon’ble High Court in *V. R.*

*Gopalakrishnan Vs. Andiammal*, 2002 (2) CTC 513. Further, he also stated that Court never loses the jurisdiction to decide on valuation and court fee.

The resource person then, explained the four modes of court fees which are contemplated in the Tamil Nadu Court Fees and Suit Valuation Act, 1955 as under;

1. Fixed Court Fee [Example: Section 37(2)]
2. Notional Court Fee [Example: Section 25(d), 27(c)]
3. Market Value [Example: Section 37(1)]
4. Value mentioned in the subject matter of the suit [Section 40].

In order to adjudicate valuation and court fee, the learned resource person invited the attention of the participants to the decisions in *Neelavathi and others Vs. M. Natarajan and others*, 1980 (2) SCC 247 and *R. Vijayalakshmi Vs. Abdul Rahman*, 2000 (2) CTC 263.

Further, the resource person dealt in detail with Sections 25, 40, 27 and 37 of the Tamil Nadu Court Fees and Suits Valuation Act, 1955. He also explained the difference between Sections 25(a), 25(b) and Section 25(d). He also narrated the dictum of the Honorable Apex Court in *AnathulaSudhakar Vs. P. Buchi Reddy (Dead) by Lrs&Ors*, (2009) 1 MLJ 1001. Further, he stated that even a minor who is an eo nomine party to the document has to value the suit under Section 40 and not under Section 25(d).

The resource person then, cleared the doubts which were raised by the participant Judges. The programme concluded with vote of thanks by the Assistant Director of the Tamil Nadu State Judicial Academy, Regional Centre, Coimbatore.

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