

STANDARD OPERATING PROCEDURE

[TO BE FOLLOWED BY ADVOCATES/ PARTY IN PERSON]

FOR E-FILING OF CASES

- ❖ The Party in Person / Advocate(s) shall register themselves in E-Filing Portal through the Party in Person / Advocate option.
- ❖ The Party in Person / Advocate(s) should upload clear Photograph and ID Proof for the user registration.
- ❖ The Users registered under the Party in Person / Advocate category shall start filing the cases, only upon the acceptance of their User Registration Request by the concerned Court/Establishment.
- ❖ The Registered User Name & Password is valid for the filing of cases throughout the State of Tamil Nadu & the U.T of Puducherry.
- ❖ As per Section 13 of Family Courts Act, cases must be filed in Family Courts by the party only through the Party in Person Login.
- ❖ For Private Complaint U/s 200 of the Criminal Procedure Code, Indigent Suit under Order XXXIII of Code of Civil Procedure, Election Original Petition and Insolvency Petition or any other action which is required to be presented in person under the applicable law, the party shall file the cases through e-filing portal and appear in person with the e-filing case receipt for further cognizance.
- ❖ The Registered Advocates / Party in Person should login to e-filing portal (<https://efiling.ecourts.gov.in/tn>) and file the case relevant details under the different information tabs (viz., *Petitioner, Respondent, Extra*

Information, Extra Party, Add LRS, Case Detail, Act-Section, Main Matter, Subordinate Court, Police Station, Sign Method, Upload Document, Pay Court Fee and Affirmation) to complete the case filing process. Special Characters are not allowed while filing Memo of Parties and Advocate remarks.

- ❖ In Case of Mutual Consent in Divorce Petitions, **2nd Petitioner Name** shall be added in Extra Party Details and the Respondent details shall be marked as '**NIL**'.
- ❖ Name of all extra parties must be added in **Extra Party** Tab.
- ❖ The Advocate / Party in Person should prepare the following pre-requisite parameters:
 - ✓ As per the **Madras High Court e-Filing Rules 2020**, the Alignment of Case related documents should be in the following format:
 - Paper size : A-4
 - Top Margin : 1.5"
 - Bottom Margin : 1.5"
 - Left Margin : 1.75"
 - Right Margin : 1.0"
 - Alignment : Justified
 - Font : Times New Roman
 - Font size : 14
 - Line spacing : 1.5
 - Document/Pleadings prepared in Tamil must be in Tamil Unicode (preferably Marutham Font)

- ✓ The pleadings should be clear and concise. Parties and third parties should set forth their Claims/Averments in separate paragraphs. The statement of truth/affidavit of the concerned person must bear their signature.
- ✓ The PDF document shall be digitally signed, either by the parties and/or by their Advocate. The digital signatures shall be appended on such places on the PDF document as prescribed under the extant rules.
- ✓ If neither the party nor the Advocate who has been engaged, possesses a digital signature, a print out of the Pleadings shall be physically signed by the party concerned and/or their Advocate in accordance with rules and it shall thereafter be scanned and uploaded.
- ✓ The documents which have to be enclosed along with the Petition should be scanned with an image resolution of **300 DPI** (Dots per inch) in OCR searchable mode and it has to be saved as a PDF document.
- ✓ The File Name of the e-file document **should not exceed 45 Characters** in length. Special Characters should not be used in a file name.

- ✓ The Size of the document ***should not exceed 20 MB.***
However, if the file exceeds 20 MB, it can be split up and uploaded separately using any PDF converter / online tool.
- ✓ The document should be converted into searchable Portable Document Format (PDF) or PDF/A using any PDF converter. (***PDF/A is the preferred format***)
- ✓ The Photograph images/unclear images of documents are not accepted
- ✓ E-file Pleadings shall not be watermarked or encrypted.
- ✓ The e-file documents shall not contain any virus, malware, spam-ware, Trojan horse or the like.
- ✓ All the e-file documents shall be legible and free of markings, track changes or annotations
- ✓ ***The merged documents should be uploaded at the time of online e-filing process.***
- ✓ ***Court fee and other charges*** should be paid electronically either by purchase on the on-line facility provided by the authorized agency https://www.shcilestamp.com/estamp_CFS_home.html <https://pay.ecourts.gov.in/epay/> (***or***) from the Designated Counters provided for the purpose in the High Court and District Courts.

- ❖ Upon filing the requisite case related information in the relevant filing tabs, the user can view the composite information of filed data in **View** tab, before proceeding for final submission.
- ❖ Upon successful filing, the e-filed case would be forwarded to the section concerned for the Scrutiny Process.
- ❖ The Registry will communicate the objections (**if any**), regarding the cases filed to the concerned Advocate/Party –in– Person through email/SMS/Portal Dashboard. After the objections are cleared, the case will be processed for the registration process and the Advocate/ Party –in– Person will be informed by email/SMS/Portal Dashboard.
- ❖ Interlocutory Petitions in Civil Cases such as Condonation of Delay, Injunction Petition, Stay Petition etc. shall be filed as an IA through the **Interim Application** menu in e-Filing Portal.
- ❖ Miscellaneous Petitions such as 317 Cr.PC, 256 Cr.PC, 257 Cr.PC etc., which are related to Criminal Cases shall be filed as MP through the **Interim Application** menu in e-Filing Portal.
- ❖ Any additional documents which are submitted during the trial as per the court direction shall be filed in e-filing Portal under the **Document** menu.
- ❖ For filing of appeal in cases, which are already disposed in physical mode, the appeal should be filed only through the e-filing portal and the appellant is required to upload all the exhibits, which are marked in the trial court only in searchable PDF format.

- ❖ Filing of Counter Petitions / any subsequent documents shall be filed only through the ***Document Menu*** in E-Filing Portal.
- ❖ The Party in Person(s) / Advocate(s) may avail the designated E-Filing Help Desks/e-Seva Kendra(s) for support in Filing of Cases through the e-filing Portal.
- ❖ Originals of the documents that are scanned, Vakalatnama, notarized/attested affidavit by the Advocate or the litigant in person at the time of e-filing shall be collected at the time of trial or as and when instructed by the court concerned and should be preserved, for production or inspection.
- ❖ Notwithstanding anything above, the documents will have to be preserved as per Order 13 of Code of Civil Procedure and other applicable laws.
- ❖ The responsibility of producing the originals and proving their genuineness is vested with the party who has electronically filed the document (i.e., scanned document copy).
- ❖ The documents produced shall be stored securely by the court concerned. The documents shall be produced in the open court as and when required. The Pleadings and e-filed document shall be viewed in Open Court through CIS Periphery Software.
- ❖ Petitioner(s) should submit the Copy of Complaint / Petition in the court concerned, for the purpose of service of same along with the Notice / Summon, irrespective of e-mail ID of the Respondent is mentioned or

not . Service of Notice / Summon through e-mail cannot be treated as sufficient service. The Serving of Plaint / Petition through e-mail is only for the purpose of enabling the Defendant / Respondent to know the case.

**** Similar Steps to be followed by the Respondent(s) for filing of Counter Petition through the Documents menu in the e-filing portal.***

***** The appointed Advocate Commissioners / Arbitrators / Mediators / Conciliators / Official Receivers for the case concerned should file their Report or Memo etc., only through the Documents menu in the e-filing portal.***