

STANDARD OPERATING PROCEDURE

[FOR E-FILING OF CASES UNDER SECTION 138 OF NEGOTIABLE INSTRUMENTATION ACT]

FOR E-FILING OF CASES

- ❖ 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.

- ❖ 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

- ✓ The documents which have to be enclosed along with the Petition viz., Cheque, Bank Statement etc., 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 document 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 filling 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.
- ❖ Miscellaneous Petitions such as 317 Cr.PC, 256 Cr.PC, 257 Cr.PC etc., which are related to the cases u/s 138 of Negotiable Instruments Act, shall be filed 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.
- ❖ On appearance of the Accused / Respondent, the Vakalatnama (Memo of Appearance) filed by the counsel for the accused / respondent must comprise the details of Mobile Number & e-mail ID(s) of Accused / Respondent and their counsel.
- ❖ It is desirable that when the accused sent his reply notice for the notice issued by the complainant seeking for the Cheque amount, the Accused / Respondent may specify their e-mail ID in the reply notice so that they can obtain the copy of the complaint immediately on taking cognizance of offence. Where the reply notice contains the e-mail ID of Accused / Respondent (not counsel), the complainant should specify the e-mail ID of the accused in the complaint / relevant column.

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