

COURT FEE AMENDMENT Act. 6/2017

Tamil Nadu Legislative Assembly Bill No.5/2017 dated: 31.01.2017.

G.O.(2D) No.47, Home (Cts.VIA) Dept dt. 27.02.2017.

Tamil Nadu Govt. Gazette Extraordinary No.52 dated: 27.02.2017

Tamil Nadu Govt. Gazette Extraordinary No.36 dated: 17.02.2017.

COMMENCEMENT from 01.03.2017.

OLD

2.) Sec. 7 of Court fee Act.

value shall be determined as on the market value of any property, such value shall be determined as on the date of presentation of the plaint.

Falling U/s.25 (a), 25(b), 27(a), 29, 30, 37(1), 37(3) 38, 45 OR 48

3) Sec. 21 of C.F. Act.

A Fees to be computed to the multiple of five paise

4) Sec. 25 of Court Fee Act.

25 (a) Rupee one thousand and five hundred

25(b) Rupees one thousand

25(c) Rupees two thousand

NEW AFTER AMENDMENT

Market Value means –
the market value fixed U/s.47AA of the of the Indian Stemp Act, 1899 CentralAct

The plaintiff assess the value of the immovable property at a lesser amount than the market value, he shall give adequate reasons as to why the market value fixed U/s.47AA of the Indian Stemp Act, 1899 does not represent the real market value of that immovable property.

The assessment made by the Plaintiff shall be accepted by the Court at the initial stage of numbering the suit, subject to objection that may be raised by the other party to the litigation.

any fraction of a rupee be rounded off to one rupee.

Rupees five thousand shall be substituted.

Rupees five thousand - substituted.

Rupees five thousand – substituted.

-- nil --	After clause (c) the following clause shall be inserted.
Sec.25 (d) - Rupees one thousand	(cc) where a defence of adverse possession is made, the same shall be treated as a counter claim and fee shall be computed on the market value of the immovable property
5) Sec. 30 of C.F. Act. Market value or Rs.1000/-	Rupees five thousand – substituted.
-- nil --	1) Rupees five thousand – substituted. 2) The following proviso shall be added. where a defence of adverse possession is made, the same shall be treated as a counter claim and fee shall be computed on the market value of the immovable property.
6) Sec. 37 of C.F. Act.Sub sec. (2) whenever the plaint is presented to (i) a D.M. Court Rs.100/- (ii) City Civil Court/Sub Court/ District Court upto 30,000/- Rs.100/- 30,001 to 1,00,000 Rs.500/- above 1,00,000 Rs.750/-	(i) High Court Rs.10,000/- (ii) Courts other than High Court. Rs.5,000/-
7) Sec 53 of C.F. Act.	After section 53 the following section shall be inserted.
-- nil --	53 A – Fee on appeals from transfer suits 1) The fee payable on appeals from transferred suits shall be the fee paid OR payable on the suit whichever is less.

8) 69 of C.F. Act. Refund on settlement before hearing
half the amount

2) Appeal from suits transferred from High Court in its original jurisdiction to City Civil Court – fee shall be paid before High Court. Fee on appeal shall not be calculated on higher fee if it originally been filed before the CCC.

Full amount – substituted.

9) - nil -

Section 69 A inserted.

Where the Court refers a suit to any of the modes of settlement of dispute referred to sec.89 of CPC, the fee paid shall be refunded. Such refund need not await for settlement of the dispute.

10) - nil -

74 A Inserted Mandatory costs:-

In frivolous or speculative litigation (அற்பமான அல்லது யுகத்தின் அடிப்படை) the Court shall award cost to the winning party, which shall be the actual cost or equal to the value of C.F paid by the winning party whichever is less.

11) 1 - Schedule I Art 1 Col. (2), (3)
Plaint or written statement etc

- (i) 49 paise
- (ii) 49 paise
- (iii) 75 paise

3 % of the amount or value of the subject matter in dispute.

2 - Schedule I Art 6 Col.(2) &
(3) Probate of a will or letters.

- 1,000 to 5,000 2 %
- above 5,000 3%

3 % on the amount or value of the estate, subject to the maximum of 25,000 rupees.

**12) Schedule II Art 3 – Col 2 and 3
Memorandum of appeal from order**

(i) to any Court other than H.C
etc., five rupees.

(ii) to Govt. HC etc - five rupees.

**2) Schedule II – Art.4 – Col.2 and 3
Appeal under Arbitration etc.**

1 % subject to max.5000/-

**3) Schedule II – Art 11 –
Application or petition to any Court**

(i) Col. (g) Two rupees.

(ii) Col. (h) – Arrest or A.B.J.

less than 30000 – 5 rupee

above 30,000 - 10 rupee

High Court - 20 rupee

iii) Col. (i) Application or petition U/s.

47 and Order XXI Rule 58

and 90 of CPC

other than H.C - 5 rupees.

High Court - 20 rupees.

iv) Col. (m) – Application under Arbitration and Conciliation Act, 1996

1% of the value of the

subject matter, subject
to Max.Rs.5000/-

v) Col. (o) – Revision petition to High Court under 115 of CPC OR 25 of Provincial Small Cause Courts Act 1988 OR Under provision of any other Act, arising out of a suit or proceeding

(i) upto 30,000/- Rs.50/-

ii) 30000 – 300000/ Rs.100/-

iii) exceeds 3,00,000/- Rs.200/-

any other Court - 100 rupees .
High Court - 2000 rupees.

3% subject to max. one lakh
rupees.

20 rupees.

20 rupees.

20 rupees.

20 rupees.

20 rupees.

20 rupees.

3% of the value of the subject
matter

subject to a maximum of

Rs.1,00,000/-

shall be substituted.

To all three – Rs. 200/-

vi) Col. (p) Revision petition before District Court		
i) U/s.25 of Provincial Small Cause Act, 1887	Rs.25/-	To all two – Rs.200/-
ii) in other cases	Rs.50/-	
vii) Col. (r)		
i) Petition to High Court Writ Under Art 226 of Constitution other than Writ of Habeas Corpus.	Rs.200/-	Rs.1000/-
ii) A petition Under Art 227 of the Constitution.	Rs.200/-	Rs.500/-
viii) Col.(s)		
Application or petition to High Court and not otherwise specifically provided for.	Rs.10/-	Rs.20/-
(4) Article. 16		
Muykhtarname, Vakalat or any paper signed by adv.signifying or intimating for related to party		
i) Any Court other than High Court, Collector, Magistrate, or other executive officer :	Rs.5/-	To all i) to iv) Rs.10/-
ii)T.N. Board of Revenue Abolition Act, 1980 or a Chief Executive Authority.	Rs.5/-	
iii) the High Court	Rs.10/-	
iv) the Govt.	Rs.10/-	

(5) Article.18 - Caaveat:

- i) in the High Court Rs.20/-
ii) In other Courts. Rs.10/-

To i) and ii) - Rs.20/-

(6) Article .19 - Memo of appearance in Criminal Courts.

- i) Any Court Rs.2/-
ii) Sessions Court Rs.3/-
iii) High Court Rs.5/-

To all i) to iii) - Rs.10/-

(7) Article.20 – 138 N.I. Act
Rs.25/- for every Rs.50,000/-
subject to Max.of Rs.1,000/-

½% of Ad valorem,
subject to a maximum of Rs.10,000/-

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Note for Section 47 AA of Indian Stamp Act.

While registering any instrument of conveyance, dissolution of partnership, exchange, gift, partition, release or settlement, the said Section 47 AA, which was inserted by Tamil Nadu Act 13/2008 empowered the State Government to constitute a Valuation Committee under the Chairmanship of the Inspector General of Registration for estimation, publication and revision of market Value guidelines of properties in the State for Constitution of Sub-Committees in each district by the Valuation Committee. The Officer would be able to estimate the market value of the property U/s.47A of the Central Act 11 of 1899 of the Indian Stamp Act.

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