
(1932) 09 MAD CK 0025
In the Madras High Court

Secretary of State

APPELLANT

Vs

N.M.R. Ayyasami Chettiar

RESPONDENT

Date of Decision : 08-09-1932

Acts Referred:

Citation : AIR 1933 Mad 178

Hon'ble Judges : Venkatasubba Rao, J;Reilly, J

Bench : Full Bench

Judgement

Venkatasubba Rao, J.—The view of the learned District Munsif is perfectly right. The question that has been raised may be stated in this

form. If two sums of Rs. 600 and Rs. 400 respectively are claimed in a suit on the basis of two promissory notes, what is the court-fee payable?

Section 17 provides expressly that it is not on the aggregate sum that the fee is to be paid but on the several sums which go to make up that

aggregate. Under that section the test is what is the amount that would be payable had separate plaints been filed for each of the several distinct

claims, all of which the suit embraces? The claim in regard to Rs. 600 is governed by Article 1 Sch. 1, but the other claim in regard to Rs. 400

comes, as the District Munsif rightly points out disagreeing with the court-fee examiner, within Article 2 and not Article 1. Section 6 is controlled

by Section 17, which is the section applicable to the facts of the present case. The order of the learned District Munsif is right, and the civil revision

petition is dismissed.

Reilly, J.

2. I agree.