

Karuppanan Ambalam Vs. Ramasami Chetti

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SooperKanoon Citation : sooperkanoon.com/776608

Court : Chennai

Decided On : Nov-12-1897

Reported in : (1898)8MLJ165

Appellant : Karuppanan Ambalam

Respondent : Ramasami Chetti

Judgement :

1. The suit was to recover back money paid in excess of the amount due, under pressure. It was not a suit to recover compensation for illegal, improper or excessive distress or attachment within the meaning of Article 35, Clause j of the 2nd Schedule of the Provincial Small Cause Court's Act of 1887. This has been hold to apply only to cases where the suit is brought to recover damages for the tort, Dewany Roy v. Sundar Tewary, I. L. R., 24 C., 163 and not for money paid in excess, and with this ruling we agree. The suit is therefore one cognizable by a Court of Small Causes as the Munsif held.