

- (1) (2) (3)
14. Every copy of power-of-attorney when filed in any suit or proceeding. . . . . Seventy-five paise.

15. Mukhtarnama, Vakalatnama or any paper signed by an advocate signifying or intimating that he is retained for a party—

When presented—

- (i) to any Court other than the High Court or to any Collector or Magistrate or other Executive Officer ; . . . . . One rupee and fifty paise.
- (ii) to the Chief Executive Authority ; Two rupees.
- (iii) to the Government. . . . . Three rupees.
16. Agreement in writing stating a question for the opinion of the Court under the Code of Civil Procedure, 1908—
- (i) when presented to a District Munsiff's Court in a case where the value of the subject-matter does not exceed Rs. 5,000; . . . . . Fifteen rupees.
- (ii) in any other case. . . . . One hundred rupees.
17. Caveat . . . . . Ten rupees.

A. CHANDRASEKHARA MENON,  
Secretary to Government.



புதுவை மாநில அரசிதழ்  
LA GAZETTE DE L'ÉTAT DE PONDICHÉRY  
THE GAZETTE OF PONDICHERRY

சிறப்பு வெளியீடு EXTRAORDINAIRE EXTRAORDINARY  
அதிகாரம் பெற்ற வெளியீடு  
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(29 Chaitra 1897)

GOVERNMENT OF PONDICHERRY  
Law and Labour Department.

No. 6990/74-LLD.

Pondicherry, the 5th April, 1975.

The following High Court's Notification R. O. C. No. 2250/74-F1, dated 30th March, 1975 is published in the local Gazette for information of public. The re-issue of the rules under section 69 of the Pondicherry Court-Fees and Suits Valuation Act, 1972 will come into force from the date of publication of this High Court's Notification in the Gazette.

S. V. RANGANATAN,  
Under Secretary to Government.



R. O. C. No. 2250/74-F1

## NOTIFICATION

In exercise of the powers conferred by section 69 of the Pondicherry Court-Fees and Suits Valuation Act, 1972 (No. 6 of 1973) and with the previous approval of the Lieutenant-Governor and the Government of Pondicherry, the High Court, Madras makes the following rules namely:—

## PROCESS FEES AND POUNDAGE

1. The fees chargeable for serving and executing processes issued by the Courts in its appellate jurisdiction and by other civil and revenue Courts in the Union territory of Pondicherry shall be as specified in the Schedule below :

## SCHEDULE OF PROCESS FEES

| Name of process                                                                        | Amount leviable in                                                       |                                                                       |
|----------------------------------------------------------------------------------------|--------------------------------------------------------------------------|-----------------------------------------------------------------------|
|                                                                                        | Small Cause Suits and execution and other proceedings arising therefrom. | All other suits and proceedings of any Court including Revenue Court. |
| (1)                                                                                    | (2)                                                                      | (3)                                                                   |
|                                                                                        | Rs. P.                                                                   | Rs. P.                                                                |
| (i) For each summons for notice—                                                       |                                                                          |                                                                       |
| (a) When sent by registered post for each defendant, respondent or witness ...         | 1 65                                                                     | 2 25                                                                  |
| (b) When served by an Officer of Court or sent by post to any other Court for service— |                                                                          |                                                                       |

| (1)                                                                                                                                               | (2)<br>Rs. P.                               | (3)<br>Rs. P. |
|---------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|---------------|
| (i) On a defendant, respondent or witness ...                                                                                                     | 1 50                                        | 2 25          |
| (ii) On every additional defendant, respondent or witness residing in the same revenue village if the process be applied for at the same time ... | 0 75                                        | 1 15          |
| (c) When handed over to a party for service on a witness or witnesses.                                                                            | One half of the fee under clause (A) supra. |               |

*Explanation:—*(i) In cases in which there are several minor defendants or respondents, represented by a single guardian, there shall be a single service upon such guardian and only one fee shall be chargeable therefor.

(ii) When a process under clause (a) or (b) supra is to be sent to any country outside India by Air Mail, the amount of fee leviable shall be 75 paise plus actual postal charges which shall be deposited by the party in the shape of postal stamps.

(ii) For every warrant:—

|                                                                 | Rs. P. | Rs. P. |
|-----------------------------------------------------------------|--------|--------|
| (a) of arrest in respect of every person to be arrested         |        |        |
| (b) of attachment in respect of every such warrant ...          | 2 25   | 4 50   |
| (c) of sale in respect of every such warrant ...                |        |        |
| (d) of delivery of possession in respect of every such warrant. |        |        |



| (1)                                                                                                                                                                                                   | (2) |      | (3) |    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------|-----|----|
|                                                                                                                                                                                                       | Rs. | P.   | Rs. | P. |
| With additional fee for the service of every Officer including a Revenue Officer, entrusted with the warrant for each day after the second day beginning with the day on which the warrant was issued | ... | 1 50 | 1   | 50 |
| (iii) For proclamation, injunction or order and every process not otherwise provided for                                                                                                              | ... | 2 25 | 4   | 50 |
| [an additional fee being leviable after the second day as mentioned under item (ii) above]                                                                                                            |     |      |     |    |
| (iv) for every process in execution of a Village Court's Decree                                                                                                                                       | 1   | 15   | 1   | 15 |

*Explanation:* If the process is not executed, no further fee for re-issue shall be levied.

(v) In respect of sales, a fee by way of poundage on the purchase money calculated at 6% (six per cent) upto Rs. 1,000 and 3% (three per cent), above Rs. 1,000.

*Explanation:*—(1) For processes applied for and ordered to be executed as emergent, the fee will be the ordinary fee and half as much again.

(2) Each process should be paid for according to the time which it really occupies. The party must not be charged for time occupied in serving processes other than his own, but he must pay for all the days which his own process or processes would have occupied, if it or they had alone been entrusted to the server. When one

applicant puts in several processes to be executed at the same time in the same locality the charge for any additional days occupied on account of such processes may be distributed over them.

(3) The additional fees to be levied under items II and III of the above Schedule for each day after the second shall ordinarily be collected in advance, the journey being calculated at the rate of 48 kilometres a day.

2. In every case in which application is made to a Court for the issue of process beyond the jurisdiction of the Court, there shall be levied the fee that would be leviable for the issue of such process in the Court to which the application is made.

3. The fee levied under this rule must be paid in Court-fee labels of the proper amount to be affixed to the application; such labels shall be punched by the Officer appointed to receive the application, who will endorse a note on the process that the proper fee for the issue thereof has been levied.

4. When process is forwarded by any Court in any of the States in the Indian Union to a Court subordinate to High Court for execution such subordinate Court shall accept the Certificate endorsed on the process as sufficient proof that the proper fee for the issue thereof has been paid and shall deliver such process to the proper Officer for service and shall retransmit the process to the Court by which such process was transmitted to it, with a return in Form No. 10 Appendix B, Schedule I, Civil Procedure Code, and with the endorsement of the process-server, showing, if service has been effected in what manner it has been effected and if service has not been effected, the reason why it has not been effected and such endorsement shall be verified by oath or affirmation of the process-server.



5. Warrants and other processes to be executed by the Court of Small Causes, Calcutta, shall have endorsed thereon a Certificate to the effect that conveyance charges at the rate of Rs. 1.50 (one rupee and fifty paise) for each warrant and 0.25 paise for each summon have been duly collected. Otherwise, such warrants and processes will be returned unexecuted by the Court.

6. Unspent process fees in one suit shall not be utilised either in the same suit or in other suits.

#### *Calculation of Poundage*

7. Poundage to be charged on each lot—

The poundage should be calculated on sale proceeds of each lot separately.

8. Poundage on bids by decree-holders—

Rule 200 of the Civil Rules of Practice provides that "if the applicant purchases the property with the leave of the Court and is allowed to set off the purchase money against any sum due to him, he shall pay the amount chargeable as poundage to the person appointed to sell the property, so soon as he is declared to be the purchaser". This rule shall also apply to cases, where the purchase money exceeds the amount mentioned in the warrant, credit being of course given for the poundage fee afterwards when the purchase money is adjusted.

#### *Refund of Poundage and Process-Fees.*

9. When more than the amount required for the service of process is deposited or when issue of process becomes unnecessary after deposit, the Courts are authorised to refund the amount of the surplus fees in money and to charge the same to the contingent fund.

10. The refunds of poundage and process service fees should be treated as refunds of Stamp Revenue and debited to "030—Refunds—B Stamps—Judicial—Court Fees realised in stamp".

11. The refund of poundage and process fees shall be in the form appended to these rules. A refund shall, in the first instance, be made from the permanent advance and shall be recouped by means of contingent bills, headed "Refund of Process and Poundage Fees" drawn on the Treasury at the end of the month. The refund vouchers in the form now prescribed should be attached to the contingent bills even when they are for a sum of Rs. 10 and less, and the vouchers should, on no account, be cancelled or destroyed as in the case of sub-vouchers for ordinary contingencies. The Officer sanctioning a refund should, at the time of signing the refund order, exercise the necessary check by comparing the voucher with the entries in the Register maintained in the Court.

12. When a refund has to be made after a process has been transmitted for service from one Court to another, the refund order should be forwarded to the Judge of the Court in which the process fees have been deposited with a request that the amount of the refund may be paid from his permanent advance, instead of the order itself being made directly payable from the Treasury.

13. Applications for refund of process-fees shall be made before the expiry of six months from the date on which the process fees were paid into Court; on applications made thereafter a penalty of six paise in the rupee or a fraction thereof of a rupee shall be levied when making the refund.



*Service of processes.*

14. (1) *Central Nazaraths.*—There shall be one general establishment of Amins and Process-servers for the execution and service of processes issued by all the Civil Courts in Pondicherry area. Such establishment shall be under the immediate direction of a Central Nazir and the control of the District Judge, or any other Judicial Officer appointed to that effect by the District Judge.

(2) *Deputy Nazir at outlying stations.*—At all other stations the process establishment shall be under the immediate direction of a Deputy Nazir who shall be under the control of the Sub-Judge or the District Munsif as the case may be having jurisdiction at such station :

Provided that at Mahe and Yanam, the Head Clerk shall function as the Deputy Nazir as well :

Provided further that where the Deputy Nazarath serves two or more permanent Courts, the Senior Judge of the Superior Court shall exercise control and the Nazarath shall be part of the establishment of that Court.

15. *Security.*—Each Central Nazir shall furnish security in a sum of Rs. 1,000 and each Deputy Nazir in a sum of Rs. 500, each Amin a sum of Rs. 300 and each process-server in a sum of Rs. 100.

16. *Officers to whom processes should be transmitted for service.*—The proper officer to whom processes shall be transmitted for service under Order V, Rule 9 of the Code shall be—

(a) The Central Nazir in respect of all processes issued by any Court located or having jurisdiction, at a station where there is a Central Nazir for service within the jurisdiction of a Munsif located at such a station; or

(b) The Deputy Nazir, at stations where there is no Central Nazir, and in respect of process issued by any superior Court for service within the jurisdiction of an outlying Munsif.

17. *Presentation of application for issue of process and procedure thereafter.*—(1) All applications for the issue of processes except those for the issue of emergent processes whether money is deposited with them or not, and except those (accompanied with processes prepared or not) presented along with plaint, memorandum of appeal, cross-objection or application to the Chief Ministerial Officer, shall be presented to the Central or Deputy Nazir, who shall enter them in a register in the form prescribed. Where money is deposited it shall be paid to the Central or Deputy Nazir, who shall grant a receipt to the party, out of his receipt book, in the form prescribed (*vide* Civil Register No. 41). He shall maintain as many receipt books and as many registers, as there are Courts whose processes are served by him.

(2) (a) The applications shall next be entered in a register in the form prescribed (*vide* Civil Register No. 44) and forwarded to the Clerk-in-charge of the records of the suit or proceeding to which the process applications relate who shall return them with the copies of the plaints, etc., if any, to be delivered to the defendants and such records as may be necessary for the correct preparation of the processes. The process-writer shall then prepare the processes in the order of receipt of applications and return the records when no longer required to the Record Clerk and obtain acknowledgment.



(b) The Clerk-in-charge of the concerned records shall as a rule return the Process Memoranda to the Process-writer within two days of the receipt by him. The Process-writers shall prepare the processes without delay and within the time limit prescribed below :

|                       |     |        |
|-----------------------|-----|--------|
| Summons and notices   | ... | 2 days |
| All warrants          | ... | 2 days |
| Proclamation of sales | ... | 3 days |

(3) Where the High Court from time to time directs that the preparation of processes issuing from any specified Court shall be under the supervision of the Chief Ministerial Officer of the Court instead of under the Central or Deputy Nazir, the Central or Deputy Nazir shall, after entering in his register applications relating to the issue of such processes, transmit them daily at 3 p.m. or such hour as the District Judge may fix to the Chief Ministerial Officer of the Court concerned with Register C (*vide* Civil Register No. 44).

(4) The Chief Ministerial Officer will prepare the processes daily and return them with documents or copies of documents, if any, which have also to be served along with the processes, at 1 p.m. or such hour as the District Judge may fix, to the Central or Deputy Nazir for service.

(5) Applications for the issue of emergent processes shall be made direct to the Court concerned and the Court ordering the issue of such processes may direct one of its own officers to receive the process memoranda direct from the party or his pleader. The process shall then be prepared urgently under the supervision of the Chief Ministerial Officer of that Court, and the process memoranda with the processes shall then be

transmitted urgently to the Central or Deputy Nazir for entry in his B Register (*vide* Civil Register No. 43) and emergent execution of the processes.

(6) Application for issue of processes (accompanied with processes prepared or not) presented along with the plaint, memorandum of appeal, cross-objection or application shall, after the plaint, memorandum of appeal, cross-objection or application has been admitted, be transmitted to the Central or Deputy Nazir who will enter them in B Register (Civil Register No. 43.)

18. *Intimation of receipts and disbursements in the Nazarath to the Chief Ministerial Officer.*—As soon as possible after 3 p.m. or such hour as the controlling Judge may fix, the Central or Deputy Nazir shall send to the Chief Ministerial Officer the receipt books and a statement of the totals of stamps and all amounts received and of money expended during the day, in order that the necessary entries may be made in the cash book, ledger and register of documents and court fees.

19. The Central or Deputy Nazir shall arrange to despatch each day before post time all processes which have to be sent by Registered Post to the parties. He shall also prepare lists of all processes which are served or executed within the jurisdiction of outlying Courts and send such lists and processes by post on India Government Service to the concerned Courts.

20. *Procedure on receipt of processes for service.*—On receiving any batch of processes, the Central or Deputy Nazir as the case may be, shall give them general numbers and enter them in a register which shall be kept by himself or under his superintendence in the Form B (*vide* Civil Register No. 43).



21. *Roster C.*—He shall thereupon arrange for the distribution of the processes, and, after the necessary entries have been made in the Roster C (*vide* Civil Register No. 46), shall deliver them to the several process-servers. No process shall be entrusted to a Process-Server or Amin unless he has returned all the processes entrusted to him previously except under the orders of the Presiding Officer. As far as possible, all processes, other than warrants of arrest, for persons residing in the same neighbourhood, shall be served by one process-server and not by several, whether issued by the same Court or by different Courts.

22. *List of Processes executed.*—Every day at such hours as the controlling Judge may fix, having regard (when necessary) to the hours at which the post closes, the Central or Deputy Nazir shall prepare a list for each Court of the processes to be returned to it, giving them their original Court numbers and shall transmit them with the list to the Central or Deputy Nazir who issued the processes, and the latter shall thereon sign and return the list.

23. *Delay in return of processes to be reported.*—It shall be the duty of the Central or Deputy Nazir to have the processes returned struck off in his register and to bring to the notice of the presiding Judge any unusual delay. Where such Judge is not the Controlling Judge he shall report such delay to the Controlling Judge in the absence of satisfactory explanation.

(2) The Central or Deputy Nazir shall verify the entries in Register No. 43 and where processes sent to other Courts or Offices are not returned within a fortnight, he shall send reminders to such Courts and Offices. Cases in which process-servers and amins have

failed to return processes on the due dates shall be reported by the Central or Deputy Nazir to the Controlling Judge.

24. *Nazir's 'B' Register.*—At the close of each day, the Nazir's Register (Civil Register No. 43) shall be closed, the balance of cash with the Nazir under the heads "for processes" and "for refunds" shall be separately shown. The number of processes distributed during the day and the number of process-servers remaining unemployed after the distribution of processes shall also be shown in the 'B' Register. In the case of Central Nazarath, the details showing the number of processes distributed and the number of unemployed process-servers etc., shall be shown in the 'B' Register of the District Court or the Sub-Court or the Munsif Court as the case may be. Details showing the balance of cash under respective heads in each Court shall also be shown in the 'B' Register of the District Court or Sub-Court or Munsif Court as the case may be.

25. *Procedure in case of arrest or seizure of movable property.*—When any person has been arrested, or movable property seized, by a process-server of any outlying Court under a warrant issued by a superior Court, the process-server shall forthwith bring such person or property and deliver him or it to the Central or Deputy Nazir, as the case may be, provided that this rule shall not apply to property not required to be brought to the Court house.

(2) Such Central or Deputy Nazir shall immediately give the process-server a receipt and send him back to his own Court and shall produce such person or property before the Court which issued the process.

(3) When money shall have been paid upon any such process, it shall be received by the outlying Sub-Judge or Munsif and duly transmitted together with



the process, to the Court concerned, by money order if the amount does not exceed Rs. 600 or by bank draft, by registered post with acknowledgment due, if the amount exceeds Rs. 600 the expenses in either case to be borne by the party to whom the money is payable :

Provided that the whole amount shall be transmitted by Money Order if there are no banking facilities in the place of receipt of money.

26. *Remittance of witness batta.*—The total amount of the batta of witnesses, etc., on all the processes issuing to a given Court on any day for service shall be remitted by Money Order by the Court issuing the processes to the Court to which the processes are sent for service at the same time as the process are despatched to the later Court. Any unspent balance in the hands of the Court serving the processes shall be returned to the Court issuing the processes by Money Order at intervals of a week (but it may be remitted along with witness batta if such is being remitted at an earlier date), and the Presiding Judge, or in the case of a District Court or a Sub-Court or Munsif Court, the Chief Ministerial Officer shall check and verify from week to week the issue of such Money Orders. The Money Order commission for remitting money for service of processes shall be borne by the party and collected along with the witness batta. In case of refunds of unspent money, the Money Order commission shall be deducted from the refundable balance. The member of the Money Order receipt shall be noted against the appropriate entries in the Register "B" (Civil Register No. 43.)

27. *Statement of Money Orders issued to other Courts.*—On or before the 6th of each month, the Court issuing Money Order under the preceding rule shall send to each Court to which Money Orders have been issued in the preceding month a statement showing the number

and particulars of the Money Orders so issued ; and it shall be the duty of the Presiding Officer of the latter Court to see that the amounts involved have been received and accounted for.

28. *Execution of emergent processes.*—(1) The Presiding Judge of any Court may, for any sufficient reason, at any hour of the day, order the emergent execution of any process. It shall be the duty of the Central or Deputy Nazir on receiving such processes to make immediate arrangements for the execution of such processes.

(2) In case of very special urgency, the Presiding Judge, may deliver any such process to any of the process-servers in attendance at his Court for immediate service or execution.

29. *Expeditious execution of processes.*—(1) All processes marked as emergent shall be issued and executed without any delay. All other processes shall be issued for execution as expeditiously as possible and in any case within four days of the date on which they are made ready. To admit of a sufficient number of processes in a particular direction or neighbourhood being accumulated, the Central or Deputy Nazir may keep such processes for a period of five days and issue them for execution on the sixth day.

(2) The Central or Deputy Nazir shall ensure that processes which are to be sent by registered post to parties are despatched within two days of their being made ready. In issuing processes for service, the Central or Deputy Nazir shall calculate the time to be allowed for returning processes on the basis that each process-server will execute four processes per day and each Amin one process per day. In making such calculation, the time for the journey from and to Court shall be excluded.



30. *Deputation of Special Process-Server from headquarters.*—(1) The Presiding Judge of any superior Court may direct, on the application of the party applying for any particular process which would ordinarily be sent for service to an outlying Court, that it be served or executed by a special process-server or amin from headquarter provided that the pay of such process-server or amin for the time he is likely to be employed on such duty, be paid in advance at the following rates:

Process-Server—Rupees two per day for processes other than warrants.

Rupees three per day for warrants.

Amins —Rupees two and paise fifty per day for processes other than warrants.

Rupees five per day for warrants.

(2) The Judge may, for any sufficient reason, direct that such extra charge be costs of the suit or proceedings.

31. *Second Process-Server to be ordinarily deputed to guard Judgment Debtors.*—When the Court considers it advisable that a second process-server should be deputed to assist the process-server having the custody of a Judgment Debtor, the pay of both at rupees two a day for each upto the time fixed for the adjourned hearing shall be paid in advance.

32. *Average number of processes to be executed by each amin and process-server.*—The number of amins and process servers to be employed for each region shall from time to time, be determined by the High Court, due regard being had to the number of processes to be

executed and the areas to be served by the several Nazaraths and any other special circumstances affecting the number of processes which one Officer may fairly be expected to serve in a given time. The number of processes to be executed each year by each amin and process-server engaged in execution work shall be regulated in accordance with the following average figures :—

| S <sup>l</sup> .<br>No. | Region      | Average<br>per<br>Amin | Average<br>per<br>Process-Server |
|-------------------------|-------------|------------------------|----------------------------------|
| 1.                      | Pondicherry | ... 200                | 300                              |
| 2.                      | Karaikal    | ... 200                | 300                              |
| 3.                      | Mahe        | ... 200                | 300                              |
| 4.                      | Yanam       | ... 200                | 300                              |

33. *Deputation of process-staff for process-writing and guard duty.*—The number of amins and process-servers to be employed under each Central Nazir and Deputy Nazir, not exceeding the number determined as above for each region, shall in like manner, from time to time, be determined by the District Judge subject to the control of the High Court. In addition to the number of amins and process-servers required for execution work, there shall be employed for each Court a sufficient number of amins to write its processes and for attending to the despatch of process by post. The number of amins required for the above duties shall be determined by the presiding Judge of the Courts concerned having charge of the Nazarath subject to the control of the District Judge and the High Court. Three process-servers shall be deputed to guard a District Court and two process-servers shall be deputed to guard each Sub-Court and District Munsif's Court. The process-servers engaged on guard duty shall be told off in rotation for



one month at a time from the whole number of process-servers and shall also be available for the service of emergent process under Rule 28. In addition to the deputation of process-servers for guard duty, the Central or Deputy Nazir as the case may be, shall from the process-servers available in Court (i. e., those who are awaiting processes to be issued) depute a sufficient number of process-servers for each Court whose processes the Central or Deputy Nazir servers, to attend to routine duties in the Courts and Office generally known as "Nazir duties".

34. *Computation of Processes.*—In calculating the number of processes, if more than one of the same description have been issued on behalf of the same party at the same time in the same suit or proceeding and executed in the same town or village, the first only shall be reckoned as a full process and each subsequent set of three or part thereof shall count as but one process, whether executed by one or more amins or process-servers. Three processes shall be counted for each emergent process and one for each day that an amin or process-server is in charge of a judgment-debtor or engaged on any special duty.

35. *Monthly report of processes executed.*—Every Central or Deputy Nazir shall, at the end of each month, report to the District Judge the number of processes calculated as above, which may have been executed by their subordinates within the month; and such report shall show the number declared by each Court to be emergent.

36. *Strength of Nazarath to be reduced whenever the average number of processes falls short of the prescribed average minimum.*—The District Judge shall

reduce the number of process-servers in Central Nazarath, of any outlying Court, whenever the average number of processes issued for each man (exclusive of those allowed under Rule 33 to be in attendance in the Courts) falls short of the prescribed average by more than ten per centum.

### FEEES FOR SERVICE OF PROCESS

37. (a) All processes issued by criminal Courts shall be charged to Court fees at the rates set out in the Schedule hereunder:—

| <i>The Schedule</i>                                                                                                                                                          | Rs. P. |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| (1) Every summon, notice or subpoena—                                                                                                                                        |        |
| (a) to an accused, respondent or witness ...                                                                                                                                 | 0 50   |
| (b) to every additional accused, respondent or witness resident in the same village or neighbourhood, if the summons, notice or subpoena is applied for at the same time ... | 0 25   |
| (ii) Every Warrant of Arrest ...                                                                                                                                             | 0 75   |
| (iii) Every order, injunction or Warrant not otherwise provided for ...                                                                                                      | 0 50   |

(b) If a process is to be served or executed within a radius of six miles from the Court house, half the above rates only shall be charged. The Judge or the Court shall determine what villages are within the above radius, and a list of such villages shall be notified in a conspicuous place in the Court house.



(c) When a Warrant remains unexecuted for fifteen days after its delivery to the Officer entrusted with its execution, an additional fee at the same rate shall be levied from the party at whose instance the warrant was issued for every fifteen days or portion of fifteen days until return is made, provided that the delay in executing the said warrant is not attributable to the Officer of the Court.

(d) This rule does not apply to processes to cause the attendance of witnesses for the prosecution in a warrant case or to processes to cause the attendance of witnesses on the application of the accused in such a case except where an order has been passed in that behalf under sections 243 (3) and 247 of the Code of Criminal Procedure.

38. No fees shall be levied on processes issued upon complaints by public servants or officers or servants of a Railway Administration acting in their official capacity.

**FORM**  
(See Rule 11)  
**Refund of Poundage and Process Fees.**

| Name of Court :                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                      | Refund of Poundage and Process Fees                                                                                        |                |                                                       |                     |                                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------------------------------------|---------------------|-------------------------------------------|
| Region                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Head of service chargeable           | 1. Refunds and Drawbacks—Revenue Refunds—Stamp—Surplus Process Fees                                                        |                |                                                       |                     |                                           |
| In whose name credited.                                                                                                                                                                                                                                                                                                                                                                                                                                     | Amount and date of deposit in Court. | Serial number of the items in the Civil Register No. 19 (Detailed Register of Documents and Court Fees) in which included. | Name of payee. | Amount to be refunded in words as well as in figures. | Reasons for refund. | Serial Number in the Register of Refunds. |
| (1)                                                                                                                                                                                                                                                                                                                                                                                                                                                         | (2)                                  | (3)                                                                                                                        | (4)            | (5)                                                   | (6)                 | (7)                                       |
| <p>*Certified that this order of refund has been registered as Serial No. in Civil Register No. 22 (Register of Refunds) and noted against the original receipt entry in Civil Register No. 19 (Detailed Register of Documents and Court Fees) under my initials, that the signature of the payee has been taken in column 11 of the Civil Register No. 22 (Register of Refunds) and that no previous order for refund of the same sum has been issued.</p> |                                      |                                                                                                                            |                |                                                       |                     |                                           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                      |                                                                                                                            |                |                                                       |                     | (Signature)<br>(Designation)              |

Date.....197 . Pay Rupees (in words).....from the permanent advance and include the same in the contingent bill of the Court.

Received payment.  
Claimant's signature.

District Judge/Sub-Judge/District Munsif.

High Court, Madras,  
Dated: 20-3-1975.

D. SOUNDARAPANDIAN,  
Registrar.