

VALUATION OF SUIT FOR PARTITION OF IMMOVABLE PROPERTY

Sec.34 of Andhra Pradesh Court Fee and Suits Valuation Act 1956 deals with mode of valuation of suit for partition. Suit for partition arises in case of joint family property or in case of property owned jointly by two or more persons. In every suit for partition the total value of the property, for which the suit is filed has to be ascertained. Out of the total property the share of the plaintiff has to be ascertained and $\frac{3}{4}$ th of the same shall be taken into consideration for the valuation of the suit. Thus $\frac{3}{4}$ th of the plaintiff's share in the total property is the value of the suit to invoke the pecuniary jurisdiction of the Court.

For example:- The plaintiff filed a suit claiming $\frac{1}{3}$ th share against his father and brother and the total value of the property is Rs.3,00,000/-, then the plaintiff's share comes to Rs.1,00,000/- and $\frac{3}{4}$ th of the same comes to Rs.75,000/- which is the value of the suit to invoke the pecuniary jurisdiction of the Court and for payment of court fee, since the value of the partition suit is Rs.75,000/- the Junior Civil Judge is competent to entertain the suit.