§ 84. Refunding illegal assessments. Whenever an assessment for a local improvement has been annulled by the judgment or order of any court any sum of money which has been heretofore or shall be hereafter paid thereon, may be refunded with interest from the time of such payment. If not so refunded within one year, from the time of such judgment or order annulling such assessment, an action may be maintained to recover such sum with interest thereon.