

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2016

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAIWAMY

C.R.P.(NPD) No.3245 of 2014

C.M.P.No.9602 of 2016

R.Murugan

... Petitioner

Vs.

1. M/s.Shriram Chits Union Finance Ltd.

Rep. by its Branch Manager,
Jayankondam,
Udayarpalayam Taluk
Ariyalur District,
Pincode: 621 802.

2. M/s.Shriram Chits Union Finance Ltd.

Rep. by its Branch Manager,
Cuddalore,
Recovery Office,
No.7/9, P.R.Complex Bharathi Road
Cuddalore 607 001.

3.V.Senguttuvan

Sole Arbitrator/Advocate
No.21B,Siva Complex,I Floor,
Imperial Road, Cuddalore
Cuddalore District.

.. Respondents

For Petitioner	:	Mr.S.Stalinmuthu
For Respondents	:	No appearance

PRAYER : Civil Revision Petition filed under Article 227 of Constitution of India to quash the orders dated 18.07.2014 and 30.07.2014 passed in ASSR No.3387 of 2014 and in ASSR No.3819 of 2014 respectively by the Principal District and Sessions Judge, Ariyalur & District and direct the Principal District and Sessions Judge, Ariyalur & District to entertain and dispose the appeal to be represented by the Petitioner to the Principal District and Sessions Judge, Ariyalur & District.

ORDER

Challenging the orders dated 18.07.2014 and 30.07.2014 passed in ASSR Nos.3387 and 3819 of 2014 respectively on the file of Principal District and Sessions Court, Ariyalur, the respondent in the Arbitral proceedings in A.C.P.No.2435 of 2011, has filed the above Civil Revision Petition.

2. By order dated 16.04.2014, the Arbitrator at Cuddalore passed an award directing the revision petitioner to pay a sum of Rs.1,11,744/- together with interest and cost. Challenging the award passed by the Arbitrator at Cuddalore, the revision petitioner filed an appeal in ASSR No.3387 of 2014 and ASSR No.3819 of 2014 before the District Court, Ariyalur. Though the petitioner has filed one appeal, the lower Appellate Court had assigned two SR numbers for a single appeal. The lower Appellate Court returned the papers stating that the appeal should be filed before the District Court at Cuddalore not before District Court at Ariyalur.

3. When the jurisdiction lies only before the District Court Cuddalore, filing of an appeal before the District Court, Ariyalur was rightly rejected by the lower Appellate Court. When the arbitration was conducted at Cuddalore, only the District Court at Cuddalore had got jurisdiction to entertain the appeal filed under Section 34 of the Arbitration Act.

4. In view of the same, I do not find any reason to interfere with the order passed by the Lower Appellate Court. The Civil Revision petition is devoid of merits and the same is dismissed. No costs. Connected miscellaneous petition is also dismissed.

04.10.2016

vsi2 /rg

To

The Principal District and Sessions Judge, Ariyalur & District

Note: The Registry is directed to return the original certified copy of the Adjudication dated 18.07.2014 and 30.07.2014 passed in ASSR No.3387 of 2014 and No.3819 of 2014 to the learned counsel for the petitioner.

M.DURAIWAMY, J

Vsi2

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