

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

C.R.P. (PD) No.4522 of 2017
and
C.M.P No.21334 of 2017

Piamary

.. Petitioner

Vs

1. Sriram Chits
Tamilnadu (P) Ltd.,
Krishnagiri.
2. The Deputy Registrar
of Chits (Arbitrator)
Krishnagiri.

3. D. Jaya Bharath
4. Deepa Josh
5. Amalraj
6. Arun Prakashraj
7. K. Dhanraj

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, against returning the unnumbered Arbitration OP SR No.2207 of 2017 on the file of learned Principal District Judge, Krishnagiri dated 21.03.2017.

For Petitioners : Mr. K. Thiruvankadam

ORDER

The learned counsel for the petitioner would submit that the ex-parte award has been passed and the petitioner has not received the copy of the said award. Therefore, the petitioner filed a petition, challenging the award passed by the Arbitrator. The court below has returned the same on 21.03.2017 and the same was re-presented on 27.03.2017 by the petitioner, after rectifying the defects.

2. According to the petitioner, although the petition was represented repeatedly, the same was returned by the court below. Finally, the papers were returned stating that the petitioner has not complied with return No.4. According to the petitioner, he has no knowledge about the award passed by the Arbitrator and the petition is not maintainable before the District Court.

3. Without going into the merits of the case, this Court is inclined to direct the petitioner to re-present the petition within two weeks from the date of receipt of a copy of this order. On such re-

presentation, based on the explanation submitted by the petitioner, the same may be numbered, if not satisfied, reasons to be stated for the return of the plaint.

4. The Civil Revision Petition is disposed of, with the above direction. Registry is directed to return the original impugned order, after getting a copy of the same. Consequently, the connected Miscellaneous Petition is closed. No costs.

12.12.2017

Index : Yes/ No

Speaking order/ Non speaking order

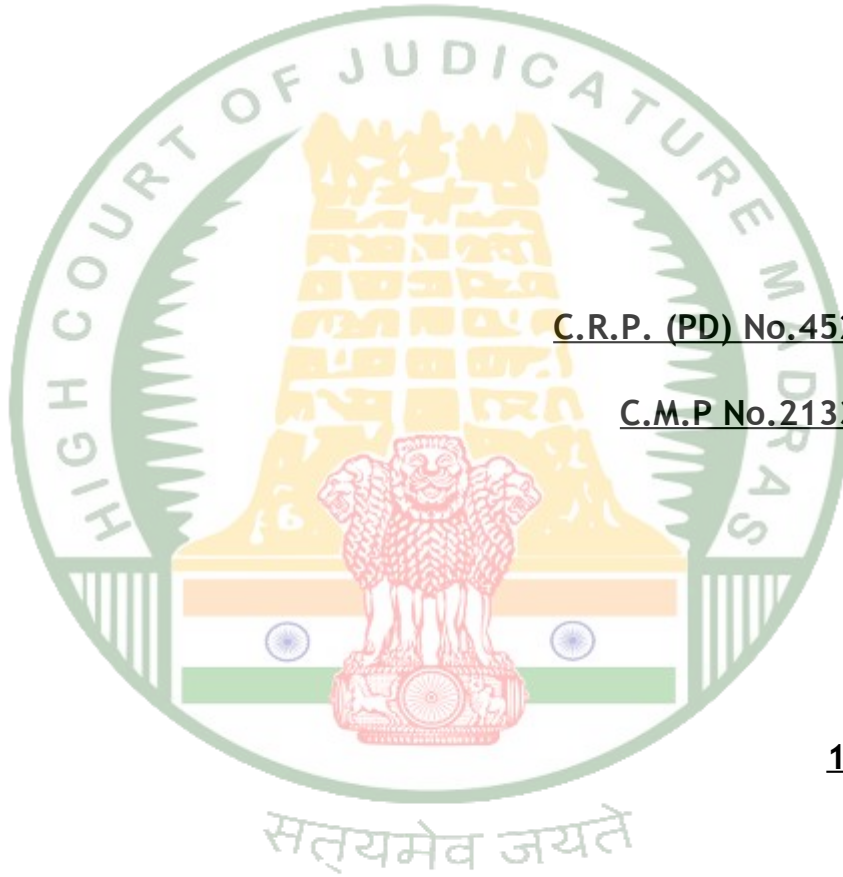
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To
The Principal District Judge
Krishnagiri.

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D. KRISHNAKUMAR J.,

avr



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