

In the High Court of Judicature at Madras

Dated : 04.07.2017

Coram :

The Honourable Mr.Justice S.M.SUBRAMANIAM

W.P. No.14183 of 2017 &

W.M.P.No.15380 of 2017

D. Arputha Rajendran,

...Petitioner

Vs

- 1.The Secretary to Government
Commercial and Registration Department,
Fort St. George,
Chennai - 600 009.
2. The Member Secretary,
Sports Development Authority of Tamil Nadu,
No. 116-A, E.V.R. Periyar High Road,
Nehru Park,
Chennai -600 084.
3. The District Sports Officer,
Sports Development Authority of Tamil Nadu,
Royakottai Road,
Krishnagiri -635 001.
4. The Sriram Chits,
Tamil Nadu Private Limited
Anna Nagar Branch,
Madurai -20.
5. The Sriram Chit Fund Ltd.,
5th Floor, No.49, Greaves Road,
Chennai - 600 006.
6. S. Rajamani,

...Respondents

PETITION under Article 226 of The Constitution of India
praying for the issuance of a Writ of Mandamus, forbearing the
respondents 2 and 3 from deducting any amount from the
petitioner's salary from the month of may 2017.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.T.M.Pappiah
Special Government Pleader for R1 to R3

Mr.S.Gunasekaran
Additional Government Pleader for-R1 to R3

ORDER

The friend of the writ petitioner borrowed loan from the 4th respondent - The Sriram Chits Tamil Nadu Private Limited, committed default and the writ petitioner stood as a guarantor for the loan transaction and the 4th respondent - private chit fund initiated recovery of the loan amount. The prayer sought for in this writ petition is for restraining the respondents 2 and 3 from recovering any amount from the petitioner's salary.

2. Heard the learned counsel for the writ petitioner, the learned Special Government Pleader for respondents 1 to 3 and the learned counsel Additional Government Pleader for respondent No.4.

3. In respect of the amount due under the loan transaction, execution proceedings are pending in appeal for execution before Commercial Taxes and Registration (G) Department. Under the said circumstances, this Court has expressed its opinion that no writ petition is maintainable and this Court cannot consider such transactions and adjudicate the same under Article 226 of the Constitution of India. At this juncture the learned counsel appearing for the writ petitioner pleaded to withdraw the petition. Accordingly he is permitted to withdraw the petition. He has made an endorsement to that effect. Hence the writ petition stands dismissed as withdrawn. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

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Sub Assistant Registrar

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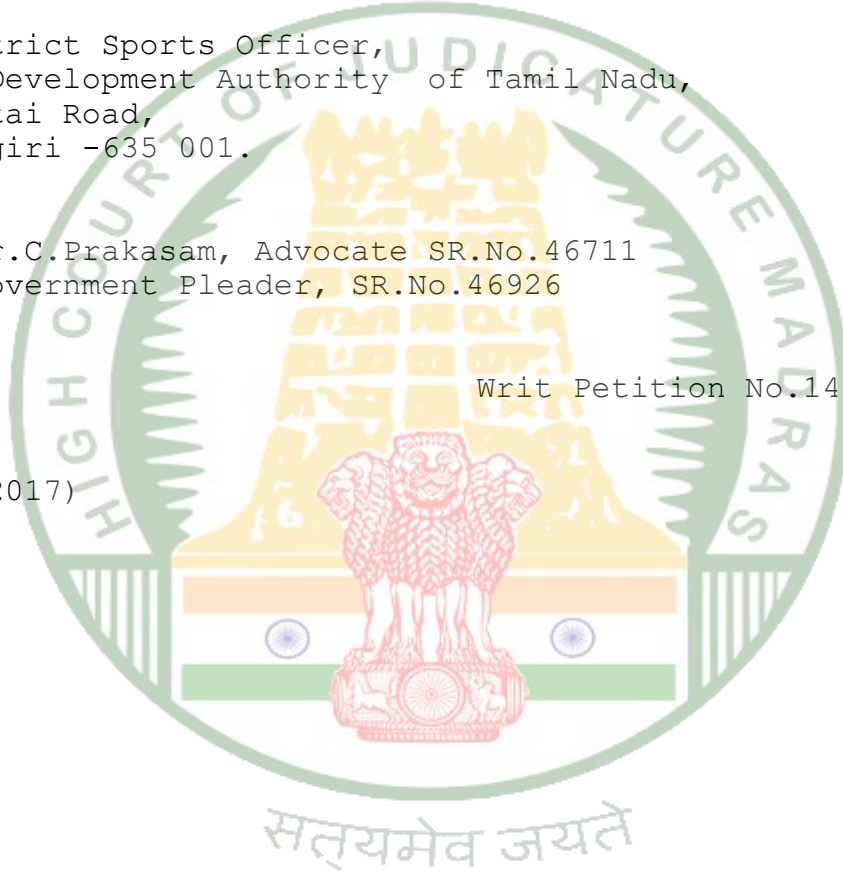
To

- 1.The Secretary to Government
Commercial and Registration Department,
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Chennai - 600 009.
- 2.The Member Secretary,
Sports Development Authority of Tamil Nadu,
No. 116-A,E.V.R. Periyar High Road,
Nehru Park,
Chennai -600 084.
- 3.The District Sports Officer,
Sports Development Authority of Tamil Nadu,
Royakottai Road,
Krishnagiri -635 001.

+1cc to Mr.C.Prakasam, Advocate SR.No.46711
+1cc to Government Pleader, SR.No.46926

Writ Petition No.14183 of 2017

RK(CO)
GN(20/07/2017)



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