

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2018

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

C.R.P.(PD)Nos.1018 and 1019 of 2015
and M.P.No.1 of 2015

A.Joseph Antony

.. Petitioner
in both CRPs.

Vs.

M/S.Margadarsi Chit Funds Private Ltd.
Represented by its Foreman, M.Saravanaselvam
No.36/17, III floor
"Ashirwad", D.B.road
R.S.Puram, Coimbatore.

.. Respondent in
C.R.P.No.1018 of 2015 and
1st Respondent in
C.R.P.No.1019 of 2015

2.M/S.Sowkar Textiles rep. by its
partners, R.P.Vishnukumar and
C.K.Ajaykumar
Sri Sivasakthi Garden, S.F.No.204
Athimara thottam
15, Velampalayam
Sirupooluvapatti post
Tiruppur – 641 652.

.. 2nd Respondent in
C.R.P.No.1019 of 2015

C.R.P.No.1018 of 2015: Civil Revision Petition filed under Article 227
of the Constitution of India, against the fair and decretal order

dated 25.01.2011 made in I.A.No.1 of 2011 in ARC.No.319 of 2010 on the file of the learned Registrar/Chit Arbitrator, Coimbatore.

C.R.P.No.1019 of 2015: Civil Revision Petition filed under Article 227 of the Constitution of India, for a direction to the learned Registrar/Chit Arbitrator, Coimbatore, to take up the unnumbered I.A. filed by the petitioner for hearing and dispose of the same on merits within the time frame fixed by this Court.

In both CRPs.

For Petitioner : Mrs.Hema Sampath,
Senior Counsel for
Mr.S.Ravee Kumar

In C.R.P.No.1018 of 2015

For Respondent : Mr.D.Shivakumaran

In C.R.P.No.1019 of 2015

For R1 : Mr.D.Shivakumaran

COMMON ORDER

C.R.P.No.1018 of 2015 is filed against the fair and decretal order dated 25.01.2011 made in I.A.No.1 of 2011 in ARC.No.319 of 2010 on the file of the learned Registrar/Chit Arbitrator, Coimbatore.

C.R.P.No.1019 of 2015 is filed for a direction to the learned Registrar/Chit Arbitrator, Coimbatore, to take up the unnumbered I.A. filed by the petitioner for hearing and dispose of the same on merits within the time frame fixed by this Court.

2. When the Civil Revision Petitions are taken up for hearing, the petitioner in both the Civil Revision Petitions, the Law Officer of the respondents and both the learned counsel for the petitioner as well as first respondent are present. Both the learned counsel for the petitioner and first respondent identified their parties and they have filed joint memo of compromise dated 06.03.2018 and submitted that the parties have already settled the matter and the first respondent has received the demand draft from the revision petitioner for a sum of Rs.20,00,000/- as full and final settlement. The case will be proceeded against the properties of other disputants in A.R.C.No.319 of 2010 and the first respondent can proceed against the other disputants.

3. In view of the settlement, both the learned counsel for the petitioner as well as first respondent contended that the first respondent has no further claim against the revision petitioner,

entire liability of the revision petitioner is fully discharged and the revision petitioner may be discharged from A.R.C.No.319 of 2010 and prayed for raising attachment of the property of the revision petitioner.

4. In respect of C.R.P.No.1018 of 2015 is concerned, considering the contention of the learned counsel for the petitioner as well as the first respondent and recording the joint memo of compromise, C.R.P.No.1018 of 2015 is disposed of in terms of compromise memo and attachment of the property of the petitioner is raised as prayed for. The joint memo of compromise shall form part of this order.

5. In respect of C.R.P.No.1019 of 2015 is concerned, the learned counsel for the petitioner seeks permission of this Court to withdraw C.R.P.No.1019 of 2015 and he has also made an endorsement to that effect.

6. Recording the endorsement made by the learned counsel for the petitioner, C.R.P.No.1019 of 2015 is dismissed as

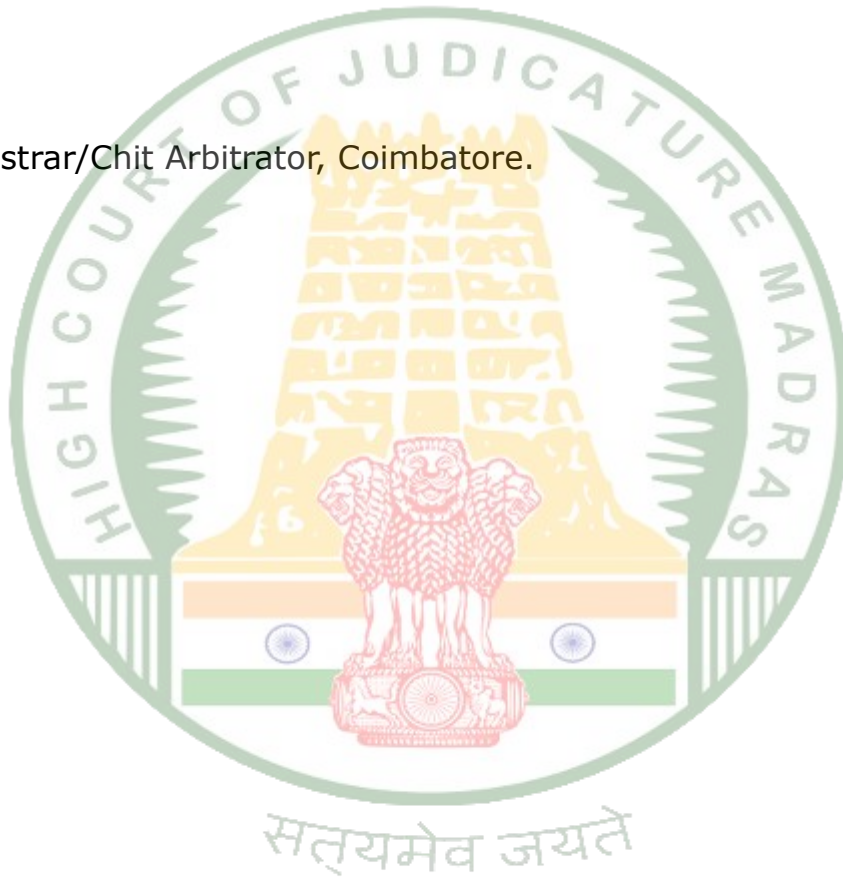
withdrawn. No costs. Consequently, connected Miscellaneous Petition is closed.

06.03.2018

Index:Yes/No

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To
The Registrar/Chit Arbitrator, Coimbatore.



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V.M.VELUMANI, J.

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