



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD) No.15401 of 2018

V.Mareeshwaran

... Petitioner

vs.

1.The Registrar,
Chits,
District Registrar Office Campus,
2nd Floor, near New Bus stand,
Thoothukudi-628 002.

2.The Deputy Registrar,
Chits,
District Registrar Office Campus,
2nd Floor, Near New Bus Stand,
Thoothukudi-628 002.

3.The Managing Director,
Jaypriya Chit Funds (P) Ltd.,
No.184/9-A/1, Palayamkottai Road,
Thoothukudi-8,
Thoothukudi District.

4.K.Aruna

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the second respondent to consider the petitioner's representation dated 03.07.2018 demanding to pass an order directing the third respondent to issue to the petitioner his account statements for the preceding months of chit transaction bearing Account No.JTS320309 and in regularity herein after with further demand to restrain him from adopting unfair and illegal means daunting the petitioner and his representatives from making further demands.

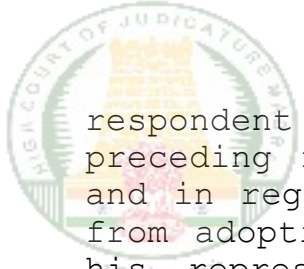
For Petitioner : Mr.B.N.Raja Mohamed
For R1 and R2 : Mr. Murali,
Government Advocate

ORDER

Mr.Murali, learned Government Advocate, takes notice for the respondents 1 and 2. Notice to the respondents 3 and 4 is dispensed with in view of nature of the order to be passed by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner that his representation dated 03.07.2018 seeking to direct the third



respondent to issue the petitioner his account statements for the preceding months of chit transaction bearing Account No.JTS320309 and in regularity herein after with further demand to restrain him from adopting unfair and illegal means daunting the petitioner and his representatives from making further demands, has not been considered by the third respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 03.07.2018, on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the respondents 3 and 4 and any other persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar(CS-II)

To:

1.The Registrar,
Chits, District Registrar Office Campus,
2nd Floor, near New Bus stand,
Thoothukudi-628 002.

2.The Deputy Registrar,
Chits, District Registrar Office Campus,
2nd Floor, Near New Bus Stand,
Thoothukudi-628 002.

+1CC to Mr.B.N .Raja Mohamed Advocate in SR.No.73407.

PNN

DS/SKN-RSK/SAR-2 :30.07.2018:2P/4C

<https://hcservices.ecourts.gov.in/hcservices/>

W.P. (MD) No.15401 of 2018

17.07.2018