

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2019

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
W.P.No.18885 of 2009

K.Seethapathy

..Petitioner

Vs

1.Margadarsi Chits Private Ltd.,
A 1 & 2 Parsn Manare,
No.602, Annasalai,
Chennai - 2.

2.K.Dilly Babu

3.The Secretary to the Government,
Commercial Taxes and Registration Department,
Fort St.George,
Chennai- 9.

4.The Registrar/Arbitrator,
Central Madras Chit Fund Cases,
Chennai - 1.

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Certiorarified Mandamus, call for the records of award passed in ARC No: 1338/2005 on 30.12.2006, on the file of the 4th respondent so far as the petitioner is concerned, which was confirmed in G.O.(D) Commercial Taxes and Registration (G) Department, dated 05.05.2009 on the file of the 3rd respondent and direct the 1st respondent to initiate action against the 2nd respondent to recover their chit subscription due.

For Petitioner : Ms.P.J.Anitha
for Mr.Packiaraj

For Respondents : Mr.P.P.Purushothaman
Government Advocate for R3
No appearance for R1, R2 & R4

O R D E R

Heard the learned counsel for the petitioner, the learned Government Advocate for the third respondent and perused the materials available on record.

2. The petitioner has come forward with this writ petition to quash the award passed by the fourth respondent in ARC No: 1338/2005, dated 30.12.2006.

3. It seems that the second respondent was a subscriber in the chit company of the first respondent and the petitioner is a guarantor. The foreman of the first respondent chit company Mr.G.Ramachandra Naidu, has given a letter dated 31.07.2019 stating that the above matter has been settled. The said letter is taken on file.

4. Ms.P.J.Anitha, learned counsel for the petitioner would state that the petitioner was the guarantor, who paid a sum of Rs.2 lakhs to the credit of E.P.No.3046/2007, which was filed by the first respondent Chit company.

5. Taking note of the above facts, this Court is of the considered opinion that no further adjudication is required in this writ petition. Accordingly, the writ petition is dismissed, granting liberty to the petitioner to initiate necessary proceedings against the subscriber. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Secretary to the Government,
Commercial Taxes and Registration Department,
Fort St.George,Chennai - 9.

2.The Registrar/Arbitrator,
Central Madras Chit Fund Cases,
Chennai - 1.

+1cc to Mr.Mr.Packiaraj , Advocate SR.No. 66256

+1 cc to Spl Government Pleader Sr.No. 67103

W.P.No.18885 of 2009

A.SK(10/09/2019)