

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2019

CORAM :

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

C.R.P. (NPD) No.3746 of 2013 &

M.P.No.1 of 2013

Mrs.R.Vasuki

.. Petitioner

Vs.

1.M/s.Shriram Chits Tamilnadu Pvt Ltd.,
Tiruvotriyur Branch,
No.3, Apparsamy Kovil Street,
Tiruvotriyur, Chennai – 600 019
Rep. By its Authorised Representative

2. Mr.R.Sivasubramani

3. Mr.Balasaravanan

4. Mr.Santhanam

.. Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India against the exparte award passed in the proceedings of A.R.C.No.987 of 2011 by the Arbitrator under the said Chit Fund Act (District Registrar, Chit Funds, Chennai), dated 06.12.2012.

For Petitioner : Mr.M.Ajmal Khan, Senior Counsel,
for Ajmal Associates

For Respondents : Mr.K.V.Anantha krishnan – R1

ORDER

This revision has been filed as against the execution proceedings and also challenging the award passed under the Tamilnadu Chit Funds Act.

2. The main contention of the revision petitioner is that notice has not been served on the petitioner and the publication also effected in an insignificant paper. Therefore, the award passed against the petitioner on 16.12.2011 is not enforceable.

3. A perusal of the materials, it is very clear that execution proceedings has also been filed for attachment of salary of Judgment Debtors 1, 2 and 4 and also the garnishee. At this stage, this revision has been filed challenging the very award itself.

4. It is to be noted that the revision petitioner cannot challenge the award before the revisional Court. If the revision petitioner is aggrieved over the award, he ought to have filed an appeal as per the Section 74 of the Tamilnadu Chit Funds Act before the concerned authority and not before this Court by way of revision. Therefore, this revision petition is not maintainable and it is for the revision

petitioner to file an appeal as per law and also to condone the delay, if any, before the appropriate authority.

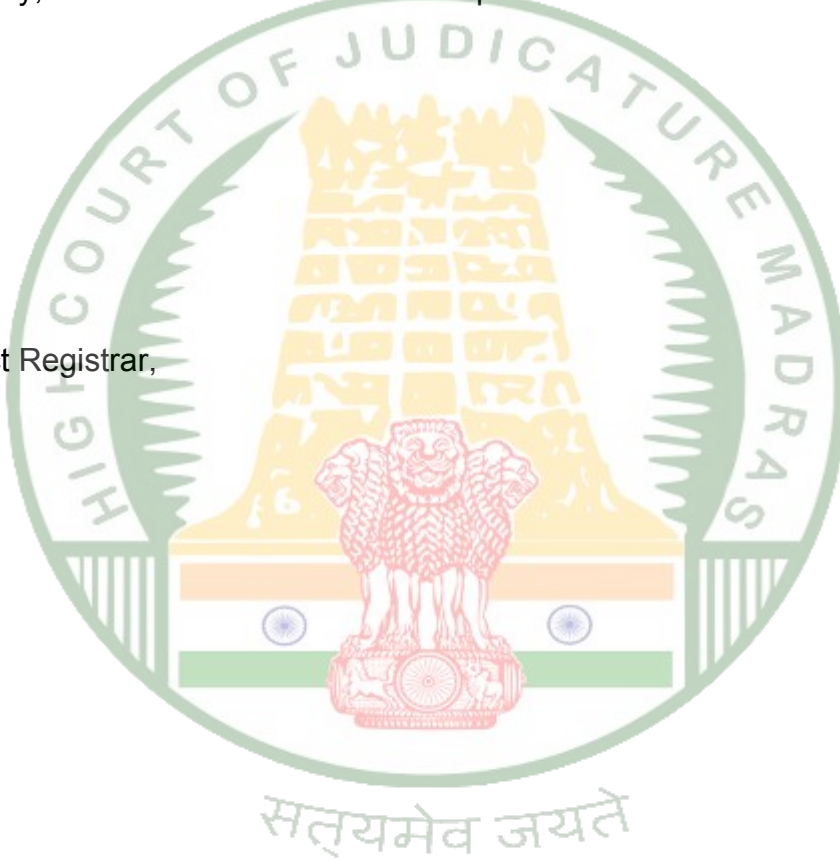
5. Accordingly, this Civil Revision Petition is dismissed as not maintainable. Consequently, the connected miscellaneous petition is closed. No cost.

28.02.2019

vrc

To

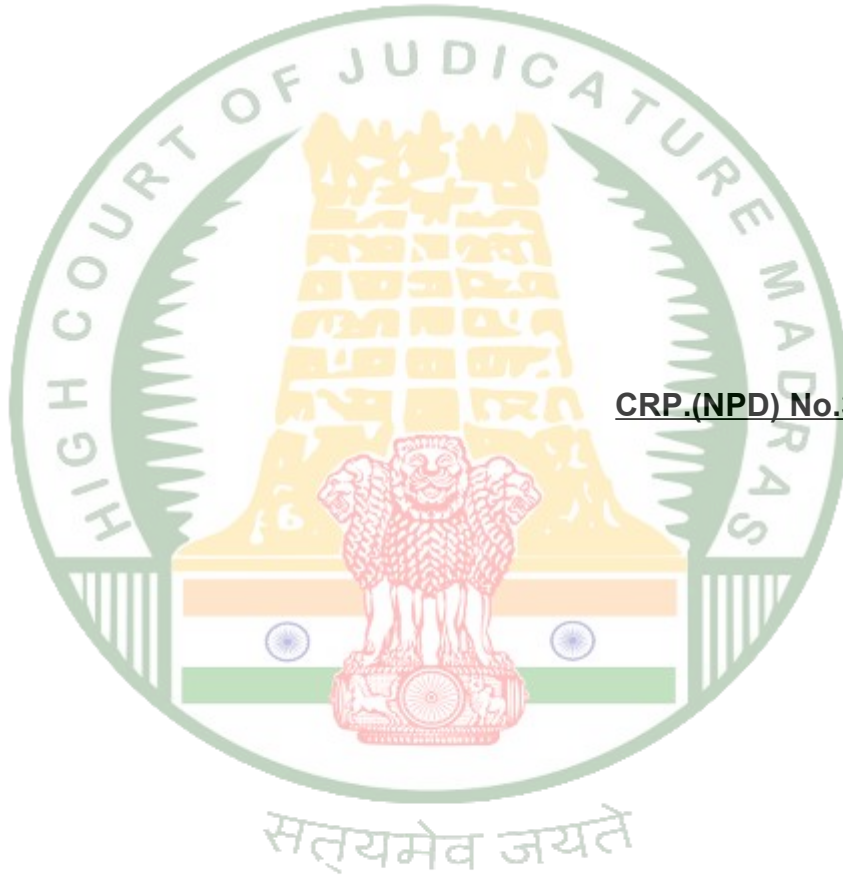
The District Registrar,
Chit Funds,
Chennai.



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N.SATHISH KUMAR, J.

VRC



CRP.(NPD) No.3746 of 2013

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