

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.02.2020

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THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P.No.30317 of 2019
and WMP No.30307 of 2019

1. S.Palaniammal

2. K.Sivasubramanian

... Petitioners

..Vs..

1. The State of Tamilnadu,
Rep by Inspector General of Registration,
Registration Department,
Chennai 600 028.

2. Deputy Registrar,
Registration Department,
Cuddalore District.

3. The District Registrar,
Tindivanam 604 001.

4. Dhanalakshmi Srinivasan Chit Funds Pvt Ltd.,
No.120, M.G.Road, Kottakuppam,
Vanur Taluk, Villupuram District. ...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to conduct a fair and just enquiry on the representation dated 16.06.2018 made by the second petitioner about the misdeed committed by the fourth respondent and furnish a report of same to the petitioners.

For Petitioner : Mr.M.Bakruthen

For Respondents : Mr.T.M.Pappiah
Special Government Pleader

O R D E R

In the counter affidavit sworn by Mr.N.Balasubramanian, District Registrar, Tindivanam, it had been stated as follows:

"5. It is submitted that the 2nd petitioner Mr.K.Sivasubramanian sent a representation to the respondents 1 to 3 raising certain allegations against the 4th respondent. That apart, the 2nd petitioner sent another representation on 20.04.2019 to the respondents 1 to 3 stating that the fourth respondent Chit Fund Company is indulging in many malpractices and requested to conduct an enquiry about the malpractices of the 4th respondent. It is submitted that on receipt of the said representations dated 20.04.2019, this respondent sent notices to the petitioners herein and the 4th respondent Chit Fund Company to appear in person for an enquiry on 14.06.2019. Both of them appeared on 14.06.2019 before this respondent and the representative appeared on behalf of the 4th respondent Chit Fund Company requested to adjourn the matter to 17.06.2019 so as to produce the entire records for perusal. Accordingly, the enquiry was adjourned to 17.06.2019 and the representative of the 4th respondent Chit Fund Company produced the entire records in connection with the Chit Group in which the petitioners are the subscribers, before this respondent.

6. It is submitted that the representative of the 4th respondent Chit Fund Company gave a written statement that the 1st petitioner took the Chit amount of Rs.20,00,000/- but she delayed in giving surety and due to the said delay only the payment of chit amount was delayed and there is no malpractices as alleged by the petitioner. It is pertinent to submit that the petitioners have also appeared for the enquiry on 17.06.2019 and they have submitted their written statement accepting to pay the Principal Chit amount of Rs.3,44,270/- (excluding interest amount). Suppressing the above said facts, the petitioners have filed the present Writ Petition.

7. It is submitted that the representations submitted by the petitioner were duly enquired and appropriate action has been taken by this respondent. The petitioners themselves accepted

the records submitted by the 4th respondent Chit Fund company and this itself proves that the allegations raised by the petitioner against the 4th respondent are not correct. The other allegations raised by the petitioner against the respondents have no merits and deserves no consideration and liable to be rejected."

2. The Writ Petition itself has been filed seeking for enquiry on the representation dated 16.06.2018. However, since the respondents have conducted the enquiry on the representation dated 20.04.2019, this Court holds that nothing survives for further adjudication.

3. In view of the same, the writ petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/
Sub Asst. Registrar

jv

To

1. The Inspector General of Registration,
Government of Tamilnadu,
Registration Department,
Chennai 600 028.

2. The Deputy Registrar,
Registration Department,
Cuddalore District.

3. The District Registrar,
Tindivanam 604 001.

+1 cc to Government Pleader sr10851

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