



WEB COPY



W.P.No.30339 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.30339 of 2022

M/s.USHA CHIT FUND,
Devicode,
Represented by its U.S.Dhanya
Daughter of Tmt.K.Ushakumari,
Having office at No.11-3-278,
Devicode, Siruvallur Post,
Kanyakumari District.

... Petitioner

Vs

1.The Secretary to Government of Tamil Nadu,
Commercial Taxes and Registration
(G) Department,
Secretariat, Chennai – 600 009.

2.R.Nagammal
3.U.N.Pravin Pagavathy
4.T.Dhanam

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent to dispose the appeal pending in Letter No.13790/G/2019-3.

For Petitioner : Mr.P.Manikannan

For 1st Respondent : Mr.E.Sundaram
Government Advocate

For R2 to R4 : Notice dispensed with



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ORDER

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2. As against the order passed by the Deputy Registrar of Chits in ARC.No.15/2015 dated 14.10.2019, the private respondents 2 to 4 preferred appeal under Section 70 of the Chits Funds Act. Since the petitioner is the respondent in the said appeal filed by the private respondents, the petitioner has filed the present writ petition seeking early disposal of the said appeal filed by the private respondents.

3. Heard Mr.P.Manikannan, learned counsel appearing for the petitioner and Mr.E.Sundaram, learned Government Advocate appearing for the 1st respondent.

4. In view of the order going to be passed in this writ petition, notice to the respondents 2 to 4 is dispensed with.



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5. The learned Government Advocate for the 1st respondent would submit that, since the appeal is pending from 2019 and if the same is not already disposed of, certainly it would be considered and disposed of by the 1st respondent within a time frame that may be stipulated by this Court.

6. Considering the limited scope of the prayer sought for in this writ petition and having regard to the said submission made by the learned Government Advocate for the 1st respondent, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the 1st respondent to decide the appeal filed by the private respondents in October 2019 after giving opportunity of being heard to both the petitioner as well as the private respondents and decide the same on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

7. With this direction, this Writ Petition is disposed of. No costs.

16.11.2022

Index : Yes / No

Speaking Order: Yes / No

Sgl



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R. SURESH KUMAR, J.

Sgl

To

The Secretary to Government of Tamil Nadu,
Commercial Taxes and Registration
(G) Department,
Secretariat, Chennai – 600 009.

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