



W.P(MD)No.15199 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15199 of 2022

and

W.M.P.(MD)Nos.10892 and 10895 of 2022

1.A.Chandrabose

2.I.Muthu Irulandi

... Petitioners

Vs.

1.The Deputy Registrar (Chit),
O/o. Deputy Registrar (Chit),
Madurai.

2.M/s.Sriram Chits Tamil Nadu (P) Limited,
No.117, West Perumal Mestri Veethi Branch,
Madurai – 625 001.

3.M.Gandhi

4.R.V.Selvakumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed in Chit Dispute No.187 of 2008 dated 25.02.2009 and quash the same as illegal and consequently direct the 1st respondent to conduct the fresh enquiry in Chit Dispute No.187 of 2008 dated 25.02.2009.



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For Petitioners : Mr.C.M.Arumugam

For Respondents : Mr.K.Balasubramani,
Spl. Government Pleader for R1.

ORDER

Heard the learned counsel for the writ petitioners and the learned Additional Government Pleader for the first respondent.

2.The petitioner was shown as the respondent in Chit Dispute No.187 of 2008 on the file of the first respondent. An award was passed way back on 25.02.2009. It appears that the petitioners were guarantors and they were not the principal borrowers. I am not inclined to entertain the writ petition for two reasons. The petitioner has an efficacious remedy before the first respondent himself. If the petitioners contend that they were not put on notice before the impugned award was passed, the same can very well be brought to the notice of the first respondent. The petitioner is given liberty to file a petition for setting aside the ex-parte award along with condone delay petition. If such a petition is filed within a period of one week from the date of receipt of a copy of this order, the first respondent will number condone the delay immediately and dispose of it as expeditiously as possible. I make it clear that I have not gone into the merits of the matter. If the records suggest otherwise ie., if the



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petitioners were originally put on notice, then the petitioners have to avail the remedy of appeal.

3. With this liberty to the petitioner, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

14.07.2022

Index : Yes / No

Internet : Yes/ No

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Issue order copy on 18.07.2022.

To:

The Deputy Registrar (Chit),
O/o. Deputy Registrar (Chit),
Madurai.



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G.R.SWAMINATHAN, J.

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