



C.R.P. No. 2195 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.07.2023

CORAM :

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

C.R.P. No. 2195 of 2023

and

C.M.P.No.13283 of 2023

M. Kumar

...Petitioner

.Vs.

1. The Arbitrator of Chits,
Central Chennai Chit Funds Cases,
Integrated Building for Offices of
Commercial Taxes and Registration,
Fanepet, YMCA, Nandanam,
Chennai – 600 035.

(Formerly at Chennai – 600 001)

2. Margadarsi Chits Private Ltd.,
Represented by its Managing Director,
No.6, Indian Chamber Building,
3rd Floor, Esplanade (Parrys),
Chennai – 600 108.

3. The Branch Manager/Foreman
Margadarsi Chits Private Ltd, Anna Salai Branch,
“A” Wing – 1 and 2 Parsn Maner - 3rd Floor,
No.602, Annaalai, Chennai – 600 006.

4. N. Lakshmi

5. P. Natarajan

...Respondents



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Prayer: This Civil Revision Petition is filed under Article 227 of the Constitution of India, praying to direct the VI Assistant City Civil Court at Chennai to dispose expeditiously preferably within a month time, the stay petition in I.A No.2/2021 in O.S No.7906/2021 pending on its file and Consequently stay all further proceedings upon the award dated 17.06.2013 for Rs.2,20,260/- passed by the first respondent Arbitrator of Chits in ARC No. 682 of 2012 pending disposal of the stay petition in Ia No.2/2021 in Os No. 7906/2021.

For Petitioner : Mr. K.G. Vipra Narayanan
For Respondent -1 : Mr. S.P. Karthik, Government Advocate
For Respondent 2 and 3 : M/s D. Shivakumaran

ORDER

This petition is filed seeking a direction to the VI Assistant City Civil Court at Chennai to dispose expeditiously preferably within a month time, the stay petition in I.A No.2/2021 in O.S No.7906/2021 pending on its file and Consequently stay all further proceedings upon the award dated 17.06.2013 for Rs.2,20,260/- passed by the first respondent Arbitrator of Chits in ARC No. 682 of 2012 pending disposal of the stay petition in I.A



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No.2/2021 in O.S No. 7906/2021.

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2. The facts of the case is that the petitioner herein has instituted a suit in O.S.No. 7906 of 2021 for declaration seeking nullity of an award dated 17.06.2013 for Rs.2,20,260/-passed by the first respondent Arbitrator of Chits in A.R.C.No.682 of 2012 as it was obtained by way of fraud played by the 3rd Respondent Chit Fund Company having colluded with the Respondents 1,4 and 5 in the circumstances where the petitioner is no way connected to the chit transaction. Thereafter, a Stay Petition was also filed in I.A.No.2 of 2021 in the said suit seeking to stay the operation of impugned Award dated 17.06.2013 passed by the first Respondent Arbitrator in A.R.C.No.682 of 2012. However till date there is no progress in the said I.A and the same is pending. Hence the petitioner has filed this petition seeking a direction to dispose of the said I.A as early as possible.

3. The learned counsel for the petitioner submitted that the learned Trial ought to have granted stay at the earliest stage itself and prolonging the stay petition is not justifiable one. Hence prays to allow this petition.

4. In view of the above, the learned Judge, VI Assistant City Civil Court at Chennai is directed to pass orders in the I.A No.2/2021 in O.S No.7906/2021 as expeditiously as possible.



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5. With the above directions, this Civil Revision Petition is disposed of. No order as to costs. Consequently the connected miscellaneous petition is closed.

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smn

Index : Yes/No

Internet: Yes/No

To.

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4. The VI Assistant City Civil Court at Chennai



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V.BHAVANI SUBBAROYAN,J.
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