



WEB COPY



W.P.No.25320 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.25320 of 2021

1.R.Mangaiyarkarasi
2.R.Sambandam
3.R.Narendiren
4.R.Tamilarasi

...Petitioners

Vs.

1.The Deputy Registrar – Chits,
Nagapattinam 604 001
2.M/s.Shriram Chits Tamilnadu(P) Ltd.,
Rep. By its Foreman,
No.23, Nethaji Road, Thiruvavarur

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the first respondent herein to dispose of the petitioners petition to set aside the ex-parte award dated 25.02.2010 made in AROP.No.150 of 2010.

For Petitioners : Mr.T.Dhanasekaran

For Respondents

For R2 : Mr.R.Abdul Mubeen

For R1 : Mr.S.Arumugam,
Government Advocate



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ORDER

This writ petition has been filed for direction to the first respondent to dispose of the petitioners' petition to set aside the exparte award passed in AROP.No.150 of 2010 on the file of the first respondent dated 25.02.2010.

2. It is seen that as against the petitioners, award was passed on the application submitted by the second respondent in AROP.No.150 of 2010 on the file of the first respondent. However, the grievance of the petitioners is that the petitioners were not served with any notice and they were not heard and as such, they were set exparte. Therefore, the petitioners filed application to set aside the exparte award passed in AROP.No.150 of 2010 dated 25.02.2010. However, there is no provision to set aside the exparte award passed under the Chit Funds Act. But, there is appeal provision to file appeal as against the award passed by the first respondent before the State Government under Section 70 of the Chit Funds Act.



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3. Therefore, the petition filed before the first respondent to set aside the exparte award is not maintainable and the direction sought for in this writ petition cannot be granted. As such, this writ petition is devoid of merits and liable to be dismissed.

4. Accordingly, this writ petition is dismissed. However, the petitioners are at liberty to file appeal as against the award passed in AROP.No.150 of 2010 on the file of the first respondent dated 25.02.2010, in the manner known to law, if so advised. There shall be no order as to costs.

25.06.2024

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

- 1.The Deputy Registrar – Chits,
Nagapattinam 604 001
- 2.Foreman,
M/s.Shriram Chits Tamilnadu(P) Ltd.,
No.23, Nethaji Road, Thiruvarur

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