



WEB COPY



W.P.No.18843 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 13.09.2024

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.18843 of 2024 and

WMP No.20671 of 2024

A.Subramani

... Petitioner

Vs.

1. The Secretary to Government,
Commercial Tax Department,
Chennai-9.
2. The Arbitrator, Chit Funds Case,
Before the Deputy Registrar of Chits,
Salem East, Salem District.
3. M/s Sri Vijayaram Chit Funds Pvt. Ltd.,
Attur Town, Salem District,
Joint Partner, A.Kannan, s/o Arunachalam,
D.No.26, Thayumanavar Street,
Attur Taluk, Salem District.
4. Mr.Karuppu Udayar
5. Sandhiyalakshmi
6. Minor Sai Ashwin,
Rep. by his mother natural guardian,
Mrs.Sandhiyalakshmi.
7. Minor Karmuhil,
Rep. by his mother natural guardian,
Mrs.Sandhiyalakshmi.

... Respondents



W.P.No.18843 of 2024

PRAAYER: Writ Petition filed under Article 226 of Constitution of India seeking for issuance of writ of Mandamus, directing the first respondent to dispose of the Appeal No.4910365/G of 2023, dated 06.06.2023 on the file of the first respondent filed against A.O.P.No.8 of 2018 on the file of the District Registrar of Chits, Salem East, within a stipulated period of time.

For Petitioner : Mr.D.Balachandran

For Respondents : Mr.LSM Hasan Fazel, Addl.Govt.Pleader
for first respondent

ORDER

This writ petition has been filed seeking direction to the first respondent to dispose of the Appeal No.4910365/G of 2023, dated 06.06.2023 on the file of the first respondent filed against A.O.P.No.8 of 2018 on the file of the District Registrar of Chits, Salem East, within a stipulated period of time.

2. According to the petitioner, he stood as a guarantor for the loan obtained by one K.Chandrasekaran from the third respondent chit fund. Subsequently, for the default committed by him, petitioner's property was brought on sale in auction in the proceedings in REP No.178/2018 in A.O.P.No.8 of 2018. Thereafter, an exparte Award was passed by the



W.P.No.18843 of 2024

Arbitrator in the said A.O.P.No.8 of 2018. Assailing the above order, the petitioner filed an appeal, however, it was not disposed of till the date of filing the writ petition. Hence, the petitioner has filed the instant writ petition.

3. Considering the limited scope of prayer, without expressing any opinion on merits, the first respondent is directed to dispose the Appeal No.4910365/G of 2023, dated 06.06.2023 filed by the petitioner against A.O.P.No.8 of 2018 on the file of the District Registrar of Chits, Salem East, within four weeks from the date of receipt of a copy of this order.

4. With the above direction, this writ petition is disposed of. There shall be no order as to costs. Connected WMP No.20671 of 2024 is closed.

13.09.2024

mst

Index : Yes / No

Internet: Yes/No



W.P.No.18843 of 2024

To

1. The Secretary to Government,
Commercial Tax Department,
Chennai-9.
2. The Arbitrator, Chit Funds Case,
Before the Deputy Registrar of Chits,
Salem East, Salem District.



WEB COPY



W.P.No.18843 of 2024

M.DHANDAPANI, J.

mst

W.P.No.18843 of 2024

13.09.2024