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W.P.Nos.29604, 29609 and 29610 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.10.2024

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.29604, 29609 and 29610 of 2024

and

W.M.P.Nos.32270, 32273 and 32274 of 2024

G.Raman

...Petitioner in all W.P.s

Vs.

1. The Principal Secretary to Government,
Commercial Taxes and Registration (g) Department,
Fort St.George,
Chennai – 600 001.
2. The Arbitrator for the Central Chennai Chit Fund cases,
Guindy Sidco Industrial Estate,
Guindy, Chennai – 600 032.
3. M/s.Sree Gokulam Chit & Finance Company (P) Ltd.,
No.49, Arcot Road,
Kodambakkam,
Chennai – 600 024.

...Respondents in all W.P's

Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to directing the 1st respondent to dispose of the petitioner statutory Appeal Nos.7545845, 7545808 and 7545870 of 2024 filed on 30.05.2024 within the time frame and consequently stay the award passed by the 2nd respondent in ARC.Nos.577, 465 & 570 of 2018 dated 06.01.2022, pending disposal of the petitioner statutory Appeal



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Nos. 7545845, 7545808 and 7545870 of 2024 on the file of the first respondent.

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For Petitioner : Mr.S. Sarathchandran
(in all W.P's.)

For Respondents : Mr.P.Harish, GA for R1 and R2
(in all W.P's.)

COMMON ORDER

Since the issue involved in all these Writ petitions are similar in nature, they are disposed of by way of this common order.

2. The case of the petitioner in respective writ petitions is that the petitioner had subscribed to a series of chits with the third respondent and when the petitioner participated in the auction, he become the successful bidder. Though the petitioner regularly paid the chit amount, however, subsequently, he could not pay the remaining chit amount, due to loss in his business. Therefore, the third respondent initiated arbitration proceedings before the second respondent in A.R.C.Nos.577, 465 & 570 of 2018 for recovery of the dues payable by the petitioner. Since the petitioner failed to pay the dues, the second respondent passed the award against the petitioner. Aggrieved over the same, the petitioner preferred appeal before the first respondent in statutory Appeal Nos. 7545845, 7545808 and 7545870 of 2024.



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However, till date no action has been taken by the first respondent. Hence, the present writ petitions have been filed seeking the aforesaid relief.

3. The learned counsel for the petitioner, on instructions submits that the petitioner is ready to deposit the actual principal balance amount to the tune Rs.34,92,600/- in respect of W.P.No.29604 of 2024 , Rs.8,20,800/- in respect of W.P.No.29609 of 2024 and Rs.23,60,600/- in respect of W.P.No.29610 of 2024 to the credit of A.R.C.Nos.577, 465 & 570 of 2018. Hence, he prayed this Court to issue a direction to the first respondent to dispose of the appeals filed by the petitioner within the time frame that may be stipulated by this Court.

4. Heard the learned Government Advocate appearing for the respondents 1 and 2 and perused the materials placed on record.

5. In view of the fair submission made by the learned counsel appearing for the petitioner, this Court directs the petitioner to pay the principal balance amount to the tune Rs.34,92,600/- in respect of W.P.No.29604 of 2024, Rs.8,20,800/- in respect of W.P.No.29609 of 2024 and Rs.23,60,600/- in



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respect of W.P.No.29610 of 2024 to the credit of A.R.C.Nos.577, 465 & 570 of 2018 within a period of two (2) weeks from the date of receipt of a copy of this order. Upon receipt of the payment of proof submitted by the petitioner, the first respondent shall dispose of the appeals filed by the petitioner in statutory Appeal Nos. 7545845, 7545808 and 7545870 of 2024 within a period of twelve (12) weeks thereafter. It is made clear that the second respondent shall not take any coercive steps as against the petitioner, if the order passed by this Court is complied with by the petitioner.

6. With the above observation and directions, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

03.10.2024

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NCC : Yes/No

Index : Yes/No

Speaking Order : Yes/No

To:

1. The Principal Secretary to Government,
Commercial Taxes and Registration (g) Department,
Fort St.George,
Chennai – 600 001.
2. The Arbitrator for the Central Chennai Chit Fund cases,

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Guindy Sidco Industrial Estate,
Guindy, Chennai – 600 032.

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M.DHANDAPANI, J.

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