



W.P.No.39752 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.12.2024

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.No.39752 of 2024

and

W.M.P.No.43042 of 2024

A.Jeyavelu

.. Petitioner

Vs.

1.The Secretary Cum Appellate Authority,
Commercial Taxes Cum Registration Department,
Fort St. George, Secretariat,
Chennai – 600 009.

2.Margadarsi Chits (P) Ltd.,
No.302, Sam Complex, 2nd Floor,
MTH Road, Ambattur,
Chennai – 600 053.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to hear and dispose the stay petition filed vide S.R.No.9170941/G/2024 filed by the petitioner against order dated 23.08.2022 in A.R.C.No.344 of 2018 on the file of Arbitration Tribunal – Arbitrator of North Madras & South Madras District Chit Fund Cases, and till disposal of the stay petition by the 1st respondent, issue an order of stay of all further proceedings by the



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2nd respondent in order dated 23.08.2022 passed in ARC No.344/2018 on the file of Arbitration Tribunal – Arbitrator of North Madras & South Madras District Chit Fund Cases.

For petitioner : Mr.K.Sakthivel

For Respondents : Mr.M.Habeeb Rahman
Govt. Advocate

ORDER

The writ petition seeks for expeditious disposal of an appeal preferred by the petitioner before the 1st respondent.

2.The petitioner had entered into chit transaction with the 2nd respondent. The 2nd respondent had initiated proceedings and had obtained an award. Aggrieved by the award, the writ petitioner has preferred an appeal before the 1st respondent on 12.12.2024. As the same has not been disposed of and since the 2nd respondent is proceeding with the Execution Petition, he has come forward with the present writ petition.

3.Mr.M.Habeeb Rahman, Government Advocate opposes stating that the appeal is barred by time. Since attachment proceedings are



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pending, appeal will be disposed of without insistence of an application under Section 5.

4.Since the relief that is sought for in this writ petition is only to dispose of the appeal, there shall be a direction to the 1st respondent to dispose of the appeal within a period of three (3) months from the date of receipt of a copy of this order. Needless to state that prior to disposal, the 1st respondent shall hear the 2nd respondent also.

5.With the above directions, this Writ Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed. No costs.

28.12.2024

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Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

To

The Secretary Cum Appellate Authority,
Commercial Taxes Cum Registration Department,
Fort St. George, Secretariat, Chennai – 600 009.

V.LAKSHMINARAYANAN, J.

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