



W.P.(MD) No.20035 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD) No.20035 2024

and

W.M.P.(MD)No.16989 of 2024

N.Ramamoorthy

...Petitioner

-VS-

1.The Secretary to Government of Tamil Nadu,
Commercial Taxes Department,
Secretariate, Chennai-9.

2.M/s.Margadharasi Chits (P) Ltd.,
TAB Complex, 1st Floor,
41, Bharathidasan Salai,
Cantonment, Thiruchirapalli-1.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, to direct the first respondent to dispose the stay petition pending along with the chit appeal filed by the petitioner against the decreetal order of the Deputy Registrar of Chits, Thiruchirapalli in ARC No.54/2006 dated 19.06.2009 within a stipulated time.

For Petitioner
For R1

: Mr.N.Karthikkanna
: Mr.J.K.Jeyaseelan
Government Advocate (Civil.side)



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ORDER

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The petitioner has filed this writ petition seeking a direction to the first respondent to dispose of the stay petition pending along with the chit appeal filed by the petitioner against the decreetal order of the Deputy Registrar of Chits, Thiruchirapalli in ARC No.54/2006, dated 19.6.2009 within a stipulated time.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Civil side) for the first respondent. Having regard to the nature of the order to be passed in this writ petition, notice to the second respondent is dispensed with.

3.By consent of both parties, this writ petition is taken up for final disposal at the time of admission itself.

4.It is the contention of the petitioner that he stood as a surety for one Narayana Moorthy, who was a subscriber of the chit that was running by the second respondent. Since the said Narayana Moorthy defaulted in his repayment of the chit, the second respondent filed a chit dispute case



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against the petitioner. The said case was allowed in favour of the second respondent. Challenging the same, the petitioner filed an appeal. The said appeal and the stay petition filed along with that appeal were not disposed by the first respondent till date. Hence, the petitioner has filed this writ petition seeking to dispose of the stay petition pending along with the chit appeal.

5.In view of the limited scope of the writ petition, without going into the merits of the matter, the first respondent is directed to consider the stay petition along with the appeal filed by the petitioner in accordance with law, after hearing the petitioner, and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

6.This writ petition is disposed of on the above directions. No costs. Consequently, connected miscellaneous petition is closed.

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NCC : Yes / No
Index : Yes / No

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N.SATHISH KUMAR, J.

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To:

The Secretary to Government of Tamil Nadu,
Commercial Taxes Department,
Secretariate, Chennai-9.

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