



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-09-2025

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 34350 of 2019

AND WMP NO. 35014 OF 2019

Shriram Chits Tamilnadu (F) Ltd.
25-26, Kanna Building First Floor PWD
Road, Nagerkovil 629 009 by its the
senior manager (Legal) Now NO. 145,
Santhome High Road, Mylapore,
Chennai 600 005

Petitioner(s)

Vs

1. The Principal Secretary to Government
Registration Department, Secretariat,
Fort, St. George, Chennai 600 009.

2. The Deputy Registrar of Chits
Kanyakumari @ Nagerkoil.

3. E. Subbulakshmi

Respondent(s)

PRAYER: This writ petition has been filed under Article 226 of Constitution of India, to issue a writ of Certiorari/Mandamus to call for the records relating to the impugned order Go (D) No. 480, Commercial Taxes and registration Dept. dated 30.10.2018 on the file of the first respondent confirming the order of the 2nd Respondent dated 24.08.2009 made in ARC No. 117 of 2008 and quash the same as illegal against law and remand the same to the 1st respondent to be heard along with the appeal filled by the petitioner on 20.10.2009.



WEB COPY

WP No. 34350 of 2019

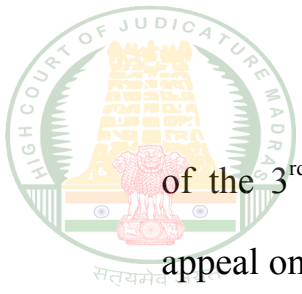


For Petitioner(s): Mr.K.V.Ananthakrishnan
For Respondent(s): Mr.Stalin Abimanyu, AGP
RR1 & 2
Mr.A.Ilayaperumal R3

ORDER

The writ petition has been filed seeking to quash the impugned order Go (D) No. 480, Commercial Taxes and registration Dept. dated 30.10.2018 on the file of the first respondent confirming the order of the 2nd Respondent dated 24.08.2009 made in ARC No. 117 of 2008 and remand the same to the 1st respondent to be heard along with the appeal filled by the petitioner on 20.10.2009.

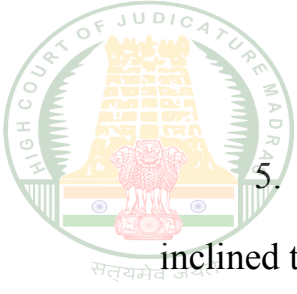
2. It is the case of the petitioner that the 3rd respondent joined chit with the petitioner company to the value of Rs.3,00,000/- and she prized the chit and received Rs.2,49,900/- from the petitioner company on 10.09.2005. The 3rd respondent defaulted in payment of the chit amount. The petitioner company filed ARC No.49 of 207 against the 3rd respondent for the recovery of defaulted sum of Rs.54,567/-. While so, the 3rd respondent initiated proceeding in ARC No.117 of 2008 claiming a sum of Rs.1,26,151/- under the same transaction from the company. The deputy Registrar of Chits, the Arbitrator without considering and deciding both the ARC No.49/2007 filed by the petitioner company along with ARC No.117/2008 filed by the 3rd respondent on 24.08.2009 passed an award in ARC No.117 of 2008 for Rs.34,943/- in favour



of the 3rd respondent against the petitioner. Therefore, the petitioner filed an appeal on 20.11.2009 against the award dated 24.08.2009 made in ARC. No.117 of 2008. whereas it came to light that the 3rd respondent filed appeal on 25.11.2009 against the order dated 24.08.2009 made in Arc No.117 of 2008 against disallowed portion of the claim. Once again the Government committed the error and did not consider both the appeals filed by the petitioner and the 3rd respondent company together. But by the impugned order dated 13.10.2018 the Government dismissed the appeal filed by the 3rd respondent and confirmed the order dated 24.08.2009 for Rs.34,943/- passed against the petitioner in ARC. No.117 of 2008. Challenging the said order, the present writ petition has been filed.

3. The learned counsel for the petitioner submitted that apart from the ARC proceedings initiated by the 3rd respondent, the petitioner has also initiated ARC proceedings No.49/2007 as against the 3rd respondent and the same is pending for consideration before the Deputy Registrar of Chit. Therefore, this Court may close the writ petition by setting aside the order in ARC. No.117/2008 filed by the third respondent in order to quietus the issue.

4. The learned counsel for the third respondent has not raised any objection as the submission made by the learned counsel for the petitioner and both the parties are not liable to pay any amount to each other.



5. In view of the consent view expressed by both the parties, this Court is inclined to pass the following orders:

i. The order in ARC.No.117 of 2008 filed by the 3rd respondent is hereby set-aside and the petitioner is directed to withdraw ARC.No.49 of 2007 which is pending before the second respondent;

ii. Un-numbered appeal filed before the first respondent is also hereby set aside.; and

iii. The petitioner and the third respondent are no dues to each other.

6. Accordingly, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

15-09-2025

rli

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WP No. 34350 of 2019



WEB COPY

To
1.The Principal Secretary to
Government
Registration Department, Secretariat,
Fort, St. George, Chennai 600 009

2.The Deputy Registrar of Chits
Kanyakumari Nagerkoil



WEB COPY

WP No. 34350 of 2019



M.DHANDAPANI J.

rli

WP No. 34350 of 2019

15-09-2025