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W.P.No.39953 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.39953 of 2024

1.E.Sivakumar
2.S.Loganayagi
3.R.Elumalai

... Petitioners

VS.

1.The Secretary To Government
Commercial Taxes And Registration Department,
Government Of Tamil Nadu,
Fort St. George, Chennai-600 009.

2.M/s.Aknith Chits Private Limited,
Rep. By Their Managing Director
Mr. K.S.SatyaPrakash,
No.10, Abdul Kalam Street,
Nagalkeni, Chromepet,
Chennai-600 044.

....Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose petitioner appeal ARC Appeal No.4987830/ G/ 23 dated 16.06.2023 within stipulated period that may be fixed by this Court.

For Petitioner : Mr.M.K.Bhoopathy Rajan
For Respondent : Mr.M.Shajahan for R1
Special Government Pleader



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ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The petitioners herein seek a direction to 1st respondent to dispose of their appeal in ARC Appeal No.4987830/ G/ 23 dated 16.06.2023.

3. It is the case of the petitioners that 1st petitioner is a subscriber to the chit conducted by the 2nd respondent. The 1st petitioner was declared as prized subscriber in the auction of the chit held on 03.02.2020. Thereafter, a dispute arose between the petitioners and the 2nd respondent. Therefore, the matter was referred to arbitration. The Arbitrator passed an *exparte* award against the petitioners 2 and 3. Aggrieved by the same, the petitioners preferred an appeal before the 1st respondent on 16.06.2023 and the same has not been disposed till date. It is further stated by the petitioners that 2nd respondent already instituted execution petition in E.P.No.235 of 2023 and pressing for execution of the award which is under challenge before the 1st



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respondent.

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4. M.Shajahan, learned Special Government Pleader, who takes notice for the 1st respondent, submits that the appeal filed by the petitioners will be disposed within a time stipulated by this Court.

5. In view of the same, this Court, without going into the merits of the claim made by the petitioner, is inclined to direct the 1st respondent to dispose of the appeal dated 16.06.2023 on merits within a period of eight weeks from the date of receipt of copy of this order after giving due opportunity to all the parties in the appeal.

6. With the above directions, the Writ Petition stands disposed of. No costs.

03.01.2025

Index: Yes/No
Internet: Yes/No
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S.SOUNTHAR, J.

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To
The Secretary To Government
Commercial Taxes And Registration Department,
Government Of Tamil Nadu,
Fort St. George, Chennai-600 009.

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