

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

MONDAY, THE TWELFTH DAY OF AUGUST

TWO THOUSAND AND TWENTY FOUR

:PRESENT:**THE HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR****WRIT PETITION NO: 12280 OF 2024****Between:**

M/s SARASA CHIT FUND COMPANY Pvt Ltd., 11-5-12/1, Sarasa Complex, Wyra Road, KHAMMAM, - T.S.-507002. Represented by its Managing Director, G.H.Rao, Flat No 203, PGR ENCLAVE, Road 11, Nalanda Nagar, Hyderguda, Attapur, Rajendranagar Mandal, Rangareddy District, T.S.- 500048

Petitioner**AND**

1. The State of Telangana, Rep., by its Principal Secretary, Finance and GAD, Secretariat, Hyderabad.
2. The Registrar of Chits, The Commissioner and Inspector General, Registration and Stamps Department, Hyderabad.
3. The Assistant Registrar of Chits, Khammam, Khammam District.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction, more so, a writ in the nature of mandamus, by declaring the action of the respondents, in refusing to repay or refund the security deposits total 11 FDRs received from the petitioner, at the commencement of chit series, as bad, illegal, arbitrary, unlawful and contrary to law and consequently to direct the respondents, to refund or repay the security deposit to the petitioner along with interest;

IA NO: 1 OF 2024

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to consider for refund of the security deposit amount to the petitioner along with interest lying with the respondents during the pendency of the above writ petition, Pending disposal of WP 12280 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI. N SARASA DEVI Advocate for the Petitioner, GP FOR GENERAL ADMINISTRATION Advocate for the Respondents, the Court made the following.

ORDER:

This Court on 07.08.2024, directed the respondent No.3 to present in the Court and answer why the petitioner's 11 FDR's are kept in his custody.

Today, when the matter has been taken up for hearing, learned Assistant Government Pleader for Stamps and Registration appearing for respondents submitted that due to on going transfers respondent No.3 is unable to present in the Court and submitted that at his place Incharge Sub-Registrar is present in the Court and further seeks time to file detail counter in this writ petition.

Presence of respondent No.3 is dispensed with.

Since the respondents have failed to comply with the order dated 07.08.2024, respondents are directed to pay Rs.2,500/- towards costs to the Court Masters and Personal Secretaries to the Hon'ble Judges Association, High Court for the State of Telangana, Hyderabad.

The Registry is directed not to accept the counter affidavit unless respondents pay Rs.2,500/- towards costs.

It is made clear that if the respondents fail to file counter by the next date of hearing, respondent No.3 is directed to present before this Court and answer accordingly.

List on 19.08.2024.

**SD/-N. SRIHARI
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

1. The Assistant Registrar of Chits, Khammam, Khammam District.
(by SPEED POST)
2. One CC to SRI. N SARASA DEVI Advocate [OPUC] ✓
3. Two CCs to GP FOR GENERAL ADMINISTRATION, High Court at
Hyderabad. [OUT] ✓
4. One spare copy ✓

HIGH COURT

NVSK, J

DATED:12/08/2024

LIST ON 19.08.2024

ORDER

WP.No.12280 of 2024

DIRECTION

