



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21-01-2026

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THE HON'BLE MR.JUSTICE S. SOUNTHAR

CRP No. 128 of 2026 and

CMP No.530 of 2026

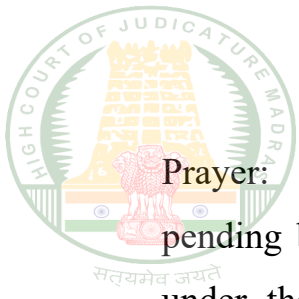
1. Rishita Mehta
Jain Car Decors,
No 93/8, New College Shopping Complex,
Peters Road, Royapettah,
Chennai 600 014
2. K. Pavan Metha alias Pavan Kumar
S/o. Khabechand Mehta,
Jain Car Decors,
No.93/8, New College Shopping Complex,
Peters Road, Royapettah,
Chennai 14.
And res. at No.133 and 135,
2nd Floor, Secretariat Colony,
Kilpauk, Chennai 10.
3. Navin Mehta alias Navin Kumar
No.7, Krishnappa Street,
Anna Salai, Chennai 02.

..Petitioner(s)

Vs

Captain Jacob Selvaraj
No 18, Teachers Colony,
Meenambakkam, Chennai 600027

..Respondent(s)



Prayer: To strike off the petition filed in E.I.O.P.No.182 of 2022 pending before the IX Assistant City Civil Court, Chennai- Court Designated under the Provisions of the Tamilnadu Prohibition of Charging Exorbitant Interest Act 2003 and pass such further or other orders as this Honble Court.

For Petitioner(s): Mr.M.Nandhakumar
for M/s.Eswar Kumar And Rao Law Firm

ORDER

This Civil Revision Petition raised an interesting question of law with regard to interplay between the two enactments, namely, the Tamil Nadu Money Lenders Act, 1957 and the Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003.

2. The Division Bench of this Court in *Sri Kalpatharu Financiers Vs. V.Natarajan in A.S.No.806 of 2009* reported in *MANU/TN/0950/2012* held that the provisions of Tamil Nadu Prohibition of Charging Exorbitant Interest Act, 2003 is not applicable to the loans advanced, based on the Negotiable Instruments, in view of Section 2(6) of Money Lenders Act.

3. A Contrary view was taken by the another Division Bench in judgment passed in A.S.(MD) No.102 of 2024, dated 29.04.2025. Subsequently, when the decision in *Sri Kalpatharu Financiers* is brought it's notice, the very same Division Bench suspended the operation of the judgment and referred the matter



to the Hon'ble Chief Justice for constitution of a Larger Bench to decide the question, by its order dated 17.06.2025.

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4. In view of the above, Civil Revision Petition is admitted. Notice to the respondent, returnable in two weeks. Private notice is also permitted.

5. In view of question of law, arising for consideration, there shall be an order of interim stay, until further orders.

21-01-2026

MST

To

The IX Assistant Judge,
City Civil Court, Chennai.



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S.SOUNTHAR, J.

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