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CMP No. 32063 of 2025 in Arb. Appeal SR.No.139416 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-07-2026

CORAM

THE HON'BLE MR JUSTICE P. VELMURUGAN

AND

THE HON'BLE MRS.JUSTICE K. GOVINDARAJAN THILAKAVADI

CMP No. 32063 of 2025

in

Arb. Appeal SR.No.139416 of 2025

National Highways Authority of India
Rep. by its Project Director,
Project Implementation Unit (PIU) – Thanjavur,
54, Natarajapuram North Colony, Medical College
Road, Thanjavur 613 004

..Petitioner(s)

Vs

1. The Competent Authority and Special District
Revenue Officer (LA), National Highways 67,
Tiruvarur
2. The District Collector
Collectorate, Nagapattinam
3. D. Geetha
W/o. Dr. P. Sampathkumar, No.66, Hospital
Road, Velipalayam, Nagapattinam

..Respondent(s)

To condone the delay of 741 days in filing the ARB Appeal as against the
AR.OP.No.2 of 2017, on the file of the Principal District Judge, Nagapattinam.

For Petitioner(s): Mrs.Sumathy SR

For Respondent(s): Mr. S.Saravanan for R3
Mr. M. Hemanth Kumar, Govt. Counsel for R1 and
R2



ORDER

(Order of the Court was made by P.Velmurugan J.)

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This Miscellaneous Petition has been filed to condone the delay of 741 days in filing the Arbitration Appeal as against the AR.OP.No.2 of 2017, dated 21.12.2022, on the file of the Principal District Judge, Nagapattinam.

2. The learned counsel for the petitioner submitted that though the petitioner is the appropriate body, they were not a party to the arbitration proceedings. The petitioner only came to know about the award passed by the Arbitrator after the private respondent filed the Execution Petition (E.P.). Hence, the present appeal has been filed challenging the award. Since the petitioner was not a party to the arbitration proceedings, the delay occurred in filing the appeal.

3. The learned counsel for the private respondent vehemently objected for the condonation of delay.

4. However, a reading of the counter filed by the private respondent mentions only the merits of the award. Though the learned counsel for the private respondent submitted that the petitioner was also a party to the proceedings, a perusal of the records shows that the petitioner was not a party to the earlier proceedings. Further, this Court is satisfied with the reasons stated in the affidavit filed in support of this petition.

5. Therefore, the delay is condoned.

(P.V.,J.) (K.G.T.,J.)
10-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

KSA-2

Note: Registry is directed to number the Appeal, if the papers are otherwise in order.



To

1. The Competent Authority and Special District
Revenue Officer (LA)
National Highways 67,
Tiruvarur
2. The District Collector
Collectorate,
Nagapattinam
3. D. Geetha
W/o. Dr. P. Sampathkumar, No.66, Hospital
Road, Velipalayam, Nagapattinam



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**P.VELMURUGAN, J.
AND
K.GOVINDARAJAN THILAKAVADI, J.**

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