



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition (MD)No.21241 of 2014

WEB COPY

1.M.Ajmalkhan

2.Velan

... Petitioners

Vs.

1.M/s.Shriram Transport Finance Co., Ltd.,

Rep by its Chief Manager,

Mookambika Complex,

3rd Floor, 4, Lady Desikachary Road,

Mylapore, Chennai 600 004.

2.P.Natarajan, Arbitrator,

Tamilagam

Rajiv Gandhi Nagar,

Ulaganeri,

Madurai 625 107.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to furnish the petitioners the certified true copy of the arbitrator award in Arbitration case No.180 of 2012, dated 22.09.2012 on the file of the 2nd respondent enabling the petitioners to prefer petition under Section 34 of the Arbitration and Conciliation Act, 1996.

For Petitioner : Mr.R.P.Ramachanthiran

For 1st Respondent : Mr.R.Rajamohan**ORDER**

When the matter came up for hearing, learned counsel for the first respondent brought to the notice of this Court that the second petitioner has already received the award copy as early as on 20.11.2012 and there is an acknowledgment card to that effect. As far as the first petitioner is concerned, he has refused the postal cover and returned it. Therefore, the prayer in the writ petition as such is not maintainable. However, it is always open to the first respondent to give a second copy to the first petitioner within 15 days. It is made clear that if any appeal is filed against the award, the second copy cannot be taken into consideration for the limitation purpose.

2.Accordingly, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

/True Copy/



To

1.M/s.Shriram Transport Finance Co., Ltd.,
Rep by its Chief Manager,
Mookambika Complex,
3rd Floor, 4, Lady Desikachary Road,
Mylapore, Chennai 600 004.

2.Mr.P.Natarajan, Arbitrator,
Tamilagam
Rajiv Gandhi Nagar,
Ulaganeri,
Madurai 625 107.

+1 CC to Mr.R.P.Ramachanthiran, Advocate (SR.No.5676)

+1 CC to Mr.N.Tamilmani, Advocate (SR.NO.5284)

+1 CC to Mr.R.Rajamohan, Advocate (SR.NO.5082)

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sms

nsv/20.2.15/2p/6c