



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Thursday, the Fourteenth day of December Two Thousand and Seventeen

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PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CMP(MD) No.1134 of 2016
IN
CMA(MD) No.SR18677 of 2011

1 STATE OF TAMILNADU REP BY
THE SUPERINENDING ENGINEER HIGHWAYS & RURAL
WORKS DEPARTMENT, TIRUCHIRAPPALLI.

2 THE DIVISIONAL ENGINEER,
HIGHWAYS & RURAL WORKS DEPARTMENT,
DINDIGUL.

3 THE ARBITRATOR-CUM- SUPERINTENDING ENGINEER,
HIGHWAYS & RURAL WORKS DEPARTMENT,
TIRUNELVELI.

... PETITIONERS/APELLANTS/
RESPONDENTS

Vs

K.A.PERUMALSAMY GOUNDER (DIED)
RAMATHAL (DIED)
PARVATHAVARTHINI

... RESPONDENT/RESPONDENT/
3rd PETITIONER

Prayer in CMP(MD) No.1134 of 2016:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 1422 days in filing the above CMA(MD) SR.No.18677 of 2011 against the Order and Decree made in O.P.No.1 of 2005 dated 23.09.2010 on the file of the Sub Court, Palani.

Prayer in CMA(MD) No.SR18677 of 2011:

Civil Miscellaneous Appeal is filed under Section 39(1) of the Arbitration Act 1940 against the order and decree made in O.P.No.1 of 2005 dated 23.09.2010 on the file of the Sub Court, Palani.

ORDER : This Miscellaneous Petition having been posted for orders on this day, for not having represented the batta with petition alongwith affidavit in the presence of Mr.M.MURUGAN, Government Advocate for the petitioners and this court having granted three (3) weeks time from this day as condition precedent and the said Government Advocate, not having complied with the said direction of



this Court, it is ordered that this miscellaneous petition do stand dismissed against the sole respondent.

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/True Copy/

Sd/-

Assistant Registrar (CS-I)

Sub Assistant Registrar

TO

- 1 THE SUPERINENDING ENGINEER HIGHWAYS & RURAL WORKS DEPARTMENT,
TIRUCHIRAPPALLI.
- 2 THE DIVISIONAL ENGINEER,
HIGHWAYS & RURAL WORKS DEPARTMENT,
DINDIGUL.
- 3 THE ARBITRATOR-CUM- SUPERINTENDING ENGINEER,
HIGHWAYS & RURAL WORKS DEPARTMENT,
TIRUNELVELI.

DATED : 14.12.2017

ORDER

CMP (MD) No.1134 of 2016 IN
CMA (MD) No.SR18677 of 2011

Dismissing this Civil
Miscellaneous Petition made in
CMP (MD) No.1134 of 2016 dated
14.12.2017 on the file of this
Hon'ble Court etc., as stated
within.

TE/SV-MMS/SAR-3 : 25/06/2018 : 2P/4C