

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 06TH DAY OF MARCH 2020

THE HON'BLE MR. JUSTICE M.SUNDAR

A. No.728 of 2020
in
O.P.DIARY NO.95607 OF 2019

In the matter of Arbitration and
Conciliation Act 1996.

and

In the matter disputes arising from
the Joint Development agreement
dated 22.11.2012 between
M/s.Raaga Foundation Private
Limited and Mr.M.S.ELANGO
SEKAR, Mr.S.E.Vikram Balaji,
and Ms.S.E.Chandini Chamundi
and the Arbitral Award in
A.F.No.135 of 2018 dated –
02.04.2019.

1. Mr.M.S.ELANGO SEKAR,
S/O. MR.M.SAMBANDAM,

2. MR.S.E.VIKRAM BALAJI,
S/o.Mr.M.S.Elango Sekar

3. MS. S.E.CHANDINI CHAMUNDI,
D/O. MR.M.S.ELANGO SEKAR,

all residing at Flat 2E, Door No.23,
Janals Apartment, New Beach Road,
Thiruvanniyur, Chennai - 41

..Petitioners/Respondents

-VS-

M/S.RAAGA FOUNDATION PRIVATE LIMITED,
 REP. BY ITS MANAGING DIRECTOR,
 MR.VENKAT SRIDER
 No.23/12, Desiga Road, Alwarpet,
 Chennai - 18

..1st Respondent/Claimant

Application praying that this Hon'ble Court be pleased to condone the delay of 24 days in filing the above Arbitration OP Petition Diary. No.95607/2019

This Application coming on this day before this court for hearing the court made the following order:

Instant application has been filed with a prayer seeking condonation of 24 days delay in filing main arbitration Original Petition being OP.D.No.95607 of 2019.

2.Chronicle is, award is dated 02.04.2019 ; received on the same day by the petitioner ; 3 months time elapsed on 02.07.2019 ; instant 'Original Petition' ('OP' for brevity) was presented in this Court on 26.07.2019 within 30 days window available thereafter; This chronicle has necessitated the instant application with prayer for condonation of 24 days delay and 'Condonation of Delay' shall hereinafter be referred to as 'COD' for brevity.

3.The affidavit supporting the instant COD application is not happily worded. Nonetheless, suffice to say that the reason is the second petitioner, who this Court is informed is the main functionary in the business activities, was not well and therefore, could not give instructions to the counsel within

the prescribed time frame.

4.Mr.K.V.Babu, learned counsel, who is present in Court accepted notice for the sole respondent. Learned counsel for sole respondent very fairly submitted that this application is not being opposed and that the main OP can be heard out on merits.

5.Counsel for applicant/petitioners Mr.David Tyagaraj undertakes to process the main OP and bring it on Board within a fortnight from today i.e., on or before 20.03.2020.

In the light of narrative thus far, instant application is ordered as prayed for.

Sd/-M.S.J.
06.03.2020

//Certified to be a true copy//
Dated this the day of 2020.

SU/11.03.2020

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.