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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2021

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

and

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

C.M.A. (MD) .Nos.1131 of 2012 and 856 of 2014

and MP (MD) .No.1 of 2012 in

CMA (MD) .No. 1131 of 2021 and

M.P. (MD) .Nos.2 and 3 of 2014 in

CMA (MD) .No. 856 of 2014

The Board of Trustees of
V.O.Chidambaranar Port Trust,
represented by its Chairman,
Tuticorin.

... Appellant/Respondent in C.M.A. (MD) .
No.1131 of 2012

Vs.

PSA SICAL TERMINALS LIMITED
through its Managing Director,
Mr.Srinivasan,
S/o.Muthiah,
South India House,
36-40, Armenian Street,
Chennai 600 001.

... Respondent/Petitioner in C.M.A. (MD) .
No.1131 of 2012

Prayer:- Civil Miscellaneous Appeal is filed under Section 37 of the Arbitration and Conciliation Act, 1996, against the order dated 30.04.2012 made in Arbitration O.P.No.191 of 2011, on the file of the Principal District Judge, Thoothukudi.

For Appellant	: Mr.Yasod Varadhan, Sr. Counsel for Mr.S.Yaswanth
For Respondent	: Mr.T.Selvakumaran

PSA SICAL TERMINALS LIMITED,
South India House,
36-40, Armenian Street,
Chennai 600 001.

... Appellant/Petitioner in C.M.A. (MD) .
No.856 of 2014

Vs.



The Board of Trustees of
V.O.Chidambaranar Port Trust
represented by its Chairman,
Tuticorin.

... Respondent/Respondent in C.M.A. (MD) .
No.856 of 2014

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Prayer:- Civil Miscellaneous Appeal is filed under Section 37 (1) (a) of the Arbitration and Conciliation Act, 1996, against the order dated 18.07.2014 made in Unregistered Ar.O.P.S.R.No.2718 of 2014, on the file of Principal District Judge, Thoothukudi.

For Appellant : Mr.T.Selvakumaran
For Respondent : Mr.Yasod Varadhan, Sr. Counsel
for Mr.S.Yaswanth

C O M M O N J U D G M E N T

(Judgment of the Court was delivered by **V.BHARATHIDASAN, J.**)

These Civil Miscellaneous Appeals have been filed against the orders passed under Section 9 of the Arbitration and Conciliation Act, 1996.

2. When these matters are taken up for hearing today, the learned Senior counsel appearing for the appellant would submit that pending appeals, the Arbitrator has passed an award and that award has been set aside by the Division Bench of this Court, which was also confirmed by the Hon'ble Apex Court in C.A.No.3699 of 2018. He would further submit that since the award itself has been set aside by the Division Bench of this Court, nothing survives for adjudication in these appeals.

3. Recording the above said submissions, both the Civil Miscellaneous Appeals are dismissed as infructuous. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (W)

// True Copy //

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Sub Assistant Registrar(CS)

akv

To

The Principal District Judge,
Thoothukudi.



+2 CC to M/s.T.SELVAKUMARAN, Advocate (SR-30182[F] dated 24/09/2021

C.M.A.(MD) .Nos.1131 of 2012 and 856 of 2014
23.09.2021

SRK(CO)

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