



WEB COPY



W.P.Nos.7040, 7043, 7045, 7047 & 7051 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.7040, 7043, 7045, 7047 & 7051 of 2019 &
W.M.P.Nos.7762, 7763, 7765, 7768, 7770, 7771, 7772, 7773, 7776 of 2019

In W.P.No.7040 of 2019

The Project Director,
Project implementation Unit,
National Highways Authority of India,
SRI TOWERS, 3rd Floor,
DP-34(SP) Industrial Estate,
Guindy, Chennai – 600 032.

...Petitioner

Vs.

1.P.Jagadeesan

2.The Arbitrator and District Collector,
Tiruvallur District,
Tiruvallur.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records pertaining to the impugned order passed by the second respondent herein in RC.No.8525/2015/F2/Arbt, dated 09.08.2018 and quash the same.



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W.P.Nos.7040, 7043, 7045, 7047 & 7051 of 2019

For Petitioner

: Mr.G.Karthikeyan,
Senior Counsel

For Respondent 2

: Mr.D.Ravichander,
Special Government Pleader

In W.P.No.7043 of 2019

The Project Director,
Project implementation Unit,
National Highways Authority of India,
SRI TOWERS, 3rd Floor,
DP-34(SP) Industrial Estate,
Guindy, Chennai – 600 032.

...Petitioner

Vs.

1.Babu

2.The Arbitrator and District Collector,
Tiruvallur District,
Tiruvallur.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records pertaining to the impugned order passed by the second respondent herein in RC.No.8525/2015/F2/Arbt, dated 09.08.2018 and quash the same.

For Petitioner

: Mr.G.Karthikeyan,
Senior Counsel

For Respondent 1

: No appearance

For Respondent 2

: Mr.D.Ravichander,
Special Government Pleader



W.P.Nos.7040, 7043, 7045, 7047 & 7051 of 2019

In W.P.No.7045 of 2019

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The Project Director,
Project implementation Unit,
National Highways Authority of India,
SRI TOWERS, 3rd Floor,
DP-34(SP) Industrial Estate,
Guindy, Chennai – 600 032.

...Petitioner

Vs.

1.Dhanalakshmi

2.The Arbitrator and District Collector,
Tiruvallur District,
Tiruvallur.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records pertaining to the impugned order passed by the second respondent herein in RC.No.8525/2015/F2/Arbt, dated 09.08.2018 and quash the same.

For Petitioner : Mr.G.Karthikeyan,
Senior Counsel

For Respondent 1 : No appearance

For Respondent 2 : Mr.D.Ravichander,
Special Government Pleader



W.P.Nos.7040, 7043, 7045, 7047 & 7051 of 2019

In W.P.No.7047 of 2019

The Project Director,
Project implementation Unit,
National Highways Authority of India,
SRI TOWERS, 3rd Floor,
DP-34(SP) Industrial Estate,
Guindy, Chennai – 600 032.

...Petitioner

Vs.

1.Anitha Sathyanarayanan

2.The Arbitrator and District Collector,
Tiruvallur District, Tiruvallur.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records pertaining to the impugned order passed by the second respondent herein in RC.No.8525/2015/F2/Arbt, dated 09.08.2018 and quash the same.

For Petitioner : Mr.G.Karthikeyan,
Senior Counsel

For Respondent 1 : No appearance

For Respondent 2 : Mr.D.Ravichander,
Special Government Pleader

In W.P.No.7051 of 2019

The Project Director,
Project implementation Unit,
National Highways Authority of India,
SRI TOWERS, 3rd Floor,
DP-34(SP) Industrial Estate,
Guindy, Chennai – 600 032.

...Petitioner



W.P.Nos.7040, 7043, 7045, 7047 & 7051 of 2019

Vs.

1. Anandha

2. The Arbitrator and District Collector,
Tiruvallur District,
Tiruvallur.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records pertaining to the impugned order passed by the second respondent herein in RC.No.8525/2015/F2/Arbt, dated 09.08.2018 and quash the same.

For Petitioner : Mr.G.Karthikeyan,
Senior Counsel

For Respondent 1 : Mr.Ravichandran Sundaresan

For Respondent 2 : Mr.D.Ravichander,
Special Government Pleader

COMMON ORDER

These writ petitions have been filed challenging the order passed by the second respondent in RC.No.8525/2015/F2/Arbt, dated 09.08.2018.

2. Learned Senior Counsel appearing on behalf of the petitioners mainly contended that Judgment of the Division Bench of this Court



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reported in 2018 (4) CTC 263 has been stayed by the Hon'ble Supreme Court in SLP (C) Diary No.36319 of 2018 dated 19.11.2018.

3. The Division Bench of the Madras High Court held that the period of limitation is inapplicable for statutory arbitration under section 3G of the Act, 1956. Since the issue is subjudice before the Apex Court, the petitioners are at liberty to reopen the arbitration award/arbitration proceedings as the case may be, subject to the final orders to be passed by the Hon'ble Supreme Court of India.

4. With this liberty, the writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

01.08.2023

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Index : Yes
Speaking Order



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To
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The Arbitrator and District Collector,
Tiruvallur District,
Tiruvallur.



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S.M.SUBRAMANIAM, J.

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01.08.2023