



W.A.No.2277 of 2023 etc.

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2023

CORAM :

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.A.Nos.2277, 2566, 2571, 2573, 2574, 2576, 2577, 2579, 2583,
2587, 2591, 2592, 2603, 2604, 2611, 2665, 2667, 2857, 3476,
3478, 3475, 3474, 3466, 3472, 3480 of 2023
and

C.M.P.Nos.19520, 21703, 21710, 21765, 21741, 21744, 21743,
21745, 21746, 21747, 21797, 21802, 21827, 21839, 21884,
21886, 21888, 21893, 21993, 21995, 22000, 22003, 22019,
22023, 22405, 22406, 22424, 22428, 23731, 28338, 28383,
28387, 28389, 28392, 28326, 28380, 28385, 28378, 28321,
28359, 28361, 28393 of 2023

W.A.No.2277 of 2023

R.Umamaheswari

.. Appellant

Vs

1. The Union of India
Rep by the Deputy Secretary to the Government
Ministry of Industry and Commerce
Department of Industrial Policy
and Promotion(Salt section)
Udhyog Bhawan, New Delhi.
- 2 The Salt Commissioner
Lavan Bhawan 2-A Lavan Marg
Jhalana Doongri, Jaipur-302 004.



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3 The Deputy Salt Commissioner
26 Haddows Road Shastri Bhavan
Chennai – 600 006.

4 The State of Tamil Nadu
Rep by its Secretary
Revenue Department
Fort.St.George Chennai – 600 009.

.. Respondents

PRAYER in W.A.No.2277 of 2023: Appeal under Clause 15 of the Letters Patent against the order dated 22.12.2021 in W.P.No.32761 of 2018 passed by the learned Single Judge.

For the Appellant in : Mr.B.Mohan
W.A.No.2277 of 2023

For the Respondents in : Mr.K.B.Arul
W.A.No.2277 of 2023 Standing Counsel
for respondents 1 to 3

: Mr.P.Muthukumar
State Government Pleader
assisted by Mrs.R.Anitha
Special Government Pleader
for 4th respondent

and batch cases



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W.A.No.2277 of 2023 etc.

COMMON JUDGMENT
(Delivered by the Hon'ble Chief Justice)

These appeals are directed against the order dated 22.12.2021 passed by the learned Single Judge in a batch of writ petitions.

2. Learned counsel for the appellants submits that in the present matters the appellants are disputing the title of the Central Government. The appellants themselves claim to be the owners of the subject lands.

3. It is further submitted by learned counsel for the appellants that the Central Government has already filed a suit for declaration of title and the same is pending. In the said suit, the question of title would be decided, so, till the title is decided, the appellants are seeking injunction against the respondents from being evicted.



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4. Assailing the order passed by the learned Single Judge in the batch of writ petitions, various appeals are filed before this court. This Court, under order dated 1.8.2022 passed in W.A.No.752 of 2022 and connected appeals, considering that an arbitration clause exists in the lease deed, referred the matter to the Arbitrator.

5. In the light of that, we pass the same order. The parties are referred to the learned Arbitrator as per the order dated 1.8.2022 passed in W.A.No.752 of 2022 and connected appeals on the same terms and conditions. It is made clear that the finding or observations made by the learned Single Judge will not come in the way of either party to raise the respective issues before the learned Arbitrator. It is for the appellants to raise all possible defences available to them before the learned Arbitrator.



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6. The parties may appear before the learned Arbitrator on 22.12.2023 or at such other date as per the convenience of the learned Arbitrator.

7. The writ appeals are disposed of accordingly. There will be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

(S.V.G., C.J.)

(D.B.C., J.)

12.12.2023

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE
AND
D.BHARATHA CHAKRAVARTHY,J.

(sasi)

W.A.No.2277 of 2023 and batch cases.

12.12.2023