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W.P.Nos.9849, 9851, 9853, 9854 & 9856 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.9849, 9851, 9853, 9854 & 9856 of 2019 &
W.M.P.Nos.10443, 10447, 10451, 10453 & 10457 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 in all W.Ps.

Vs.

Gajendran	... 1 st Respondent in W.P.No.9849 of 2019
M.S.Mohan	... 1 st Respondent in W.P.No.9851 of 2019
Munusamy	... 1 st Respondent in W.P.No.9853 of 2019
P.Manoharan	... 1 st Respondent in W.P.No.9854 of 2019
M.Manikandan	... 1 st Respondent in W.P.No.9856 of 2019

The Arbitrator and District Collector,
Tiruvallur District,
Tiruvallur.

... 2nd Respondent in all W.Ps.

Common 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



W.P.Nos.9849, 9851, 9853, 9854 & 9856 of 2019

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
in all W.Ps. : Mr.G.Karthikeyan,
Senior Counsel

For Respondent 1
in W.P.Nos.9849
& 9854 of 2019 : No appearance

For Respondent 1
in W.P.Nos.9851,
9853 & 9856 of 2019 : Mr.Ravichandran Sundaresan

For Respondent 2
in all W.Ps. : 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 the Judgment of the Division Bench of this Court
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.



W.P.Nos.9849, 9851, 9853, 9854 & 9856 of 2019

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 National Highways 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.

10.08.2023

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Index : Yes
Speaking Order



W.P.Nos.9849, 9851, 9853, 9854 & 9856 of 2019

To

WEB COM The Arbitrator and District Collector,
Tiruvallur District,
Tiruvallur.



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W.P.Nos.9849, 9851, 9853, 9854 & 9856 of 2019

S.M.SUBRAMANIAM, J.

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W.P.Nos.9849, 9851, 9853, 9854 & 9856 of 2019

10.08.2023