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W.P.Nos.10586, 10589, 10591, 10595 & 10598 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.10586, 10589, 10591, 10595 & 10598 of 2019 &**  
**W.M.P.Nos.10077, 10082, 10085, 10088 & 10457 of 2019**

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

...Petitioner in all W.Ps.

Vs.

|               |                                                        |
|---------------|--------------------------------------------------------|
| Narasimman    | ... 1 <sup>st</sup> Respondent in W.P.No.10586 of 2019 |
| Ramachandiran | ... 1 <sup>st</sup> Respondent in W.P.No.10589 of 2019 |
| Nallappan     | ... 1 <sup>st</sup> Respondent in W.P.No.10591 of 2019 |
| Renuka        | ... 1 <sup>st</sup> Respondent in W.P.No.10595 of 2019 |
| Ravi          | ... 1 <sup>st</sup> Respondent in W.P.No.10598 of 2019 |

The Arbitrator and District Collector,  
Tiruvallur District,  
Tiruvallur.

... 2<sup>nd</sup> 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



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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.10595

10598 of 2019 : No appearance

For Respondent 1

in W.P.Nos.10586,

10589 & 10591

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.



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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



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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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**10.08.2023**