



WEB COPY



W.A.No.1666 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2023

CORAM :

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

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.A.No.1666 of 2023

Dr.D.Kanagasabapathy

.. Appellant

Vs

1.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, 2A, Lavanmarg,
Jhalana Doongri, Jaipur – 302 004.

3.The Deputy Salt Commissioner,
26, Haddows Road,
Shastri Bhavan, Chennai-06.

4.The Assistant Salt Commissioner,
O/o The Deputy Salt Commissioner,
No.26, Haddows Road,
Shastri Bhavan, Chennai – 06.

.. Respondents



W.A.No.1666 of 2023

Prayer: Appeal under Clause 15 of the Letters Patent against the order 22.12.2021 passed in W.P.No.25647 of 2017 by the learned Single Judge.

For the Appellant : Mr.P.G.Thiyagu

For the Respondents : Mr.A.Kumaraguru

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

We have heard Mr.P.G.Thiyagu, learned counsel for the appellant and Mr.A.Kumaraguru, learned counsel for the respondents.

2. Learned counsel for the appellant submits that the appellant had filed W.P.No.25647 of 2017 before the learned Single Judge with regard to the lease entered by the appellant for mining process. The lease amount was also challenged. The writ petition was dismissed under a common judgment by the learned Single Judge in a batch of writ petitions.



W.A.No.1666 of 2023

3. The petitioners in the other writ petitions filed W.A.No.752 of 2022 with other connected appeals, challenging the said judgment of the learned Single Judge. In the writ appeals filed by those persons, directions were given that the writ appellants may individually or through Association seek appointment of the Arbitrator. However, considering the large number of litigants, this Court appointed a Former Judge of the Madras High Court, Mr. Justice V.Bharathidasan as the sole Arbitrator.

4. Learned counsel for the appellant submits that the present matter may also be referred to the learned Arbitrator.

5. Learned counsel for the respondents, on going through the appeal, accepts that the present appellant is similarly situated as the appellants in W.A.Nos.752 of 2022 and etc. batch decided under the common judgment of the Division Bench of this Court dated 01.08.2022.



W.A.No.1666 of 2023

6. In the light of that, we follow the same course and in view of that, the present matter may also be referred to Mr. Justice V.Bharathidasan, Former Judge of Madras High Court, for arbitration.

7. The present appeal is disposed of on the same terms and conditions as W.A.Nos.752 of 2022 and etc. batch, decided through the common judgment dated 01.08.2022. There will be no order as to costs. Consequently, C.M.P.No.14831 of 2023 is closed.

(S.V.G., CJ.)

(P.D.A., J.)

12.07.2023

Index : Yes/No
Neutral Citation : Yes/No
sasi



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THE HON'BLE CHIEF JUSTICE
AND
P.D.AUDIKESSAVALU,J.

(sasi)

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