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O.P.No.958 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2023

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THE HONOURABLE **MR.JUSTICE SENTHILKUMAR RAMAMOORTHY**

**O.P.No.958 of 2019 &**  
**A.No.9016 of 2019**

1. State of Tamil Nadu  
Rep. by its Secretary,  
Highways Department,  
Fort St. George,  
Chennai-600 009.
2. The Divisional Engineer,  
(Highways) SCRD  
5/90-D, Adisakthipuram,  
Angamman Colony, Salem—9.
3. The Superintending Engineer,  
(Highways) SCRD  
Villupuram.
4. M/s.Mukesh & Associates,  
5/3, Ragavan Street,  
Swarnapuri, Salem-636 004.

... Petitioners

vs

M/s.Madhava Hytech Infrastructures (India) Pvt. Ltd.  
(As per Memo dated 12.02.2019)  
Rep. by its Managing Director  
Mr.Kilaru Pradeep  
having its Registered Office at



O.P.No.958 of 2019

501, Panorama Mansion,  
Renuka Enclave, Raj Bhavan Road,  
Somajiguda, Hyderabad-500 082.

.. Respondent

**PRAYER:** Original Petition filed under Section 34 of the Arbitration & Conciliation Act, 1996, (a) to set aside the Impugned Award dated 22.07.2019 passed by the Hon'ble Arbitral Tribunal in the arbitration between the Petitioners and the Respondent allowing the claims filed by the Respondent; (b) to allow the counter-claims filed by the Petitioner before the Hon'ble Arbitral Tribunal in the arbitration between the Petitioner and the Respondent; and (c) to direct the respondent to bear the costs of the proceedings.

For Petitioners : Mr.S.Silambanan, AAG, assisted by  
Mr.A.Edwin Prabakar, Spl.G.P.(CS),  
assisted by Mr.Tamilnidhi, Addl.G.P.  
And Mr.R.Siddharth, G.A.  
For Respondent : Mr.R.S.Raveendren

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### **ORDER**

A joint memo dated 20.06.2023 has been placed on record by the parties. The said joint memo has been signed by the Divisional Engineer(H) Projects, Salem, on behalf of the petitioners and by the Managing Director



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on behalf of the respondent. Ms.P.Chandra, Assistant Divisional Engineer

(H), Projects Division, Salem, and Ms.A.Vaidheki, Assistant Engineer (H),

Projects Division, Salem, are present in Court. In such joint memo, the

parties have recorded that the respondent agreed to receive a sum of

Rs.35.10 crore, as against the original claim of Rs.85.77 crore, in full and

final settlement of all its claims. It is further stated that the Government

issued G.O.Ms.No.66, Highways and Minor Ports (HS1) Department, dated

12.06.2023, in order to give effect to the settlement.

2. In view of these developments, O.P.No.958 of 2019 is disposed of by taking note of the settlement. Both the joint memo and G.O.Ms.No.66, Highways and Minor Ports (HS1) Department, dated 12.06.2023 shall be annexed to and form an integral part of this order. Consequently, the connected application is closed.

**20.06.2023**

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Index : Yes / No

Neutral Citation: Yes/No

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**20.06.2023**