



CMP(MD) No.4622 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Eighteenth day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice RMT.TEEKAA RAMAN
and
The Hon`ble Mr.Justice P.B. BALAJI

CMP(MD) No.4622 of 2022
in
CMA(MD) No.97 of 2021

THE PROJECTOR DIRECTOR
NATIONAL HIGHWAYS-7,
NATIONAL HIGHWAYS AUTHORITY OF INDIA,
PLOT NO.3, SURIYA TOWERS,
2ND FLOOR,1ST EAST STREET,
K.K.NAGAR,
(NEAR MUTHUVELRAJAN HOSPITAL)
MADURAI-20

... Petitioner / Petitioner / Appellant

Vs

1 J.VIJAYAKUMARAN .

2 THE DISTRICT REVENUE OFFICER,
(LAND ACQUISITION, NATIONAL HIGHWAYS-7),
COLLECTORATE BUILDING,
MADURAI-625 020.

... Respondents / Respondents / Respondents

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to modify the conditional order dated 09-02-2021 passed in CMP(MD).No.868 of 2021 in CMA (MD).No.97 of 2021.



CMP(MD) No.4622 of 2022

Prayer in CMA(MD). 97/ 2021 :

To set aside the order made in Arbitration OP No. 93 of 2015 dated. 19.03.2020 on the file of the Principal District Judge, Madurai.

ORDER : This civil miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.S.SANKARA PANDIAN, Advocate for M/S.C.ARUL VADIVEL ASSOCIATES, Advocate for the petitioner and of Mr.R.GOVINDARAJ, Advocate on behalf of the Respondent No.1, the court made the following order:-

This petition has been filed to modify the conditional order of stay on the ground that after one year of passing of the said order, a judgment has been pronounced by the Hon'ble Supreme Court on the question of law. The subsequent order passed by the Apex Court on a difference interpretation will not be ground for modification. The said ground may be agitated at the time of arguing the appeal. Hence, we are not inclined to accept the said plea. Accordingly, this petition stands dismissed.

sd/-
18/12/2023

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/12/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RR

To

The Principal District Judge, Madurai.



CMP(MD) No.4622 of 2022

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Copy to:

The Branch Manager,
Indian Bank,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CMP(MD) No.4622 of 2022
in
CMA(MD) No.97 of 2021
Date :18/12/2023

ED/ JGB /SAR- (22/12/2023) 3P / 3C

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