



WA No.557 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2024

CORAM

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

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

WA No.557 of 2024

M.Nithyanandam (deceased)

1.N.Sowmiya
2.N.Sasikala
3.N.Narendiran

: Appellants

(cause title accepted vide order of Court
dated 31.01.2024 in CMP No.22790/2023)

versus

1.Union of India,
rep. By the Deputy Secretary to Government,
Ministry of Industry and Commerce,
Department of Industrial policy and
Promotion (Salt Section)
Udhyog Bahavan, New Delhi

2.Salt Commissioner,
Lavan Bhavan, 2-A LavanMarg
Jhalana Doongri Jaipur 302 004

3.Deputy Salt Commisisoner,
26, Haddows Road, Shastri Bhavan,
Chennai 600006

4.The State of Tamil Nadu,
rep. By it Secretary,
Revenue Department,
Fort St.George, Chennai 9

: Respondents



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Prayer: Writ appeal filed under Clause 15 of the Letters Patent against the order of the learned Single Judge in WP No.32866/2018 dated 22.12.2021.

For Appellants : Mr.B.Mohan
For Respondents 1 to 3 : Mr.K.B.Arul
For 4th Respondent : Mr.C.Kathiravan,
Special Government Pleader

JUDGMENT

(Delivered by the Hon'ble Chief Justice)

This appeal is directed against the order dated 22.12.2021 passed by the learned Single Judge in a batch of writ petitions.

2. Learned counsel for the appellants submits that in the present matter, the appellants are disputing the title of the Central Government. The appellants themselves claim to be the owners of the subject land.

3. It is further submitted by learned counsel for the appellants that the Central Government has already filed a suit for declaration of title and the same is pending. In the said suit, the question of title would be decided, so, till the title is decided, the appellants are seeking injunction against the respondents from being evicted.

4. Assailing the order passed by the learned Single Judge in the batch of writ petitions, various appeals are filed before this court. This Court, under order



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dated 1.8.2022 passed in W.A.No.752 of 2022 and connected appeals, considering that an arbitration clause exists in the lease deed, referred the matter to the Arbitrator.

5. In the light of that, we pass the same order. The parties are referred to the learned Arbitrator as per the order dated 1.8.2022 passed in W.A.No.752 of 2022 and connected appeals on the same terms and conditions. It is made clear that the finding or observations made by the learned Single Judge will not come in the way of either party to raise the respective issues before the learned Arbitrator. It is for the appellants to raise all possible defences available to them before the learned Arbitrator.

6. The parties may appear before the learned Arbitrator on a date as per the convenience of the learned Arbitrator.

7. The writ appeals are disposed of accordingly. There shall be no order as to costs. Consequently, CMP No.3864 of 2024 is closed.

(S.V.G., CJ.)

(D.B.C., J.)

16.02.2024

Index : Yes/No
Neutral Citation : Yes/No
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THE HON'BLE CHIEF JUSTICE

AND

D.BHARATHA CHAKRAVARTHY, J.

(tar)

To

- 1.The Deputy Secretary to Government,
Ministry of Industry and Commerce,
Department of Industrial policy and
Promotion (Salt Section)
Udhyog Bhavan, New Delhi
- 2.Salt Commissioner,
Lavan Bhavan, 2-A LavanMarg
Jhalana Doongri Jaipur 302 004
- 3.Deputy Salt Commisisoner,
26, Haddows Road, Shastri Bhavan, Chennai 600006
- 4.The Secretary, Revenue Department,
Fort St.George, Chennai 9

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