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C.R.P.No.1373 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CRP.No.1373 of 2021

K.Vedamoorthy

... Petitioner

Vs.

1.The Project Director,
National Highway Authority of India,
Project Implementation Unit(NS)
D.No.212-3/D3-1, Sri Nagar Colony,
Narasothipatti, Salem-636 004.

2.The Competent Authority and
The District Revenue Officer,
Erode District,
Erode.

3.The District Collector,
Erode District,
Erode

...Respondents

PRAYER: Civil Revision Petition filed under Article 227 of Constitution of India, praying to set aside the docket order in CFR.No.3396 of 2017 in Unnumbered A.O.P.No. of 2017 on the file of the Principal District Court, Erode dated 29.06.2018.

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For Petitioner	: Mr.R.Jayaprakash for Mr.M.Guruprasad
For respondent 1	: M/s.Su.Srinivasan
For respondent 2 &3	:Mr.V.Jeevagiridharan Additional Government Pleader

ORDER

The Civil Revision Petition is filed challenging the order passed by the Court below returning the Arbitration Original Petition filed by the petitioner for payment of proper Court fees.

2. When the matter is taken up for hearing, the learned counsel for the petitioner on instructions, submits that he will not press prayer (a) found in the arbitration original petition and he will simply substitute the same with prayer to set aside the award impugned in the original petition. The said statement of the learned counsel for the petitioner is recorded.

3. The petitioner is permitted to represent the returned papers by substituting the original prayer by seeking to set aside the award impugned in



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the original petition. In case, the petitioner confines his prayer to set aside the award, the question of payment of Ad valorem Court fee as mentioned in the impugned order will not arise. Accordingly, the Civil Revision Petition is disposed of with the direction to the petitioner to represent the original petition with substituted prayer within a period of four weeks from the date of receipt of copy of this order. No costs.

20.02.2024

Index : Yes / No

Internet : Yes / No

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Note: Registry is directed to return the original Arbitration Original Petition in CFR.No.3396 of 2017 filed along with the revision.

To

1. The learned Principal District Court, Erode.

2.The Project Director,
National Highway Authority of India,
Project Implementation Unit(NS)
D.No.212-3/D3-1, Sri Nagar Colony,
Narasothipatti, Salem-636 004.

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Erode District,
Erode.

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S.SOUNTHAR, J.

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