



C.R.P.(MD)Nos.1141 & 1142 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2024

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

C.R.P.(MD)Nos.1141 & 1142 of 2016
and C.M.P.(MD).Nos.5658, 5659, 5660 & 5661 of 2016

Alagar Exports,
(Firm Reg. No.54/93),
Through its Managing Partner,
A.Jeyaraman,
S/o.Alagirisamy Chettiar,
Office at No.257, W.G.C.Road,
Thoothukudi.

... Petitioner/Petitioner
in both petitions

Vs.

1.M/s.Islamic Republic of Iran Shopping
Lines of Tehran,
Through its Power Agent,
Hemant Prabhakar Kupawadekar,
Having office at No.675, Vali-Easr SQ.,
Tehran, Iran.

... 1st Respondent/1st Respondent
in both petitions

2.David Farrington,
Office at Fair Wind Shipping Ltd.,
Gum House, 1-4, Artillaory Passage,
London E1, 7LJ.

... 2nd Respondent/2nd Respondent
in both petitions

COMMON PRAYER : Civil Revision Petitions are filed under Section
115 of the Civil Procedure Code, to set aside the fair and decretal order



C.R.P.(MD)Nos.1141 & 1142 of 2016

passed in fair and decreetal order passed in E.A.No.44 of 2009 in E.P.No.22 of 2007 in Arbitration O.P.No.222 of 2007 and E.A.No.45 of 2009 in E.P.No.23 of 2007 in Arbitration O.P.No.223 of 2007 on the file of the Principal District Judge, Thoothukudi, dated 30.03.2016.

For Petitioner : Mr.A.Prasanna Rajadurai

For Respondents : No Appearance
(In both petitions)

ORDER

These Civil Revision Petitions are filed, to set aside the fair and decreetal order passed in fair and decreetal order passed in E.A.No.44 of 2009 in E.P.No.22 of 2007 in Arbitration O.P.No.222 of 2007 and E.A.No.45 of 2009 in E.P.No.23 of 2007 in Arbitration O.P.No.223 of 2007 on the file of the Principal District Judge, Thoothukudi, dated 30.03.2016.

2.Arbitration awards were passed by the sole Arbitrator the second respondent herein. Execution petitions were filed in E.P.Nos.22 & 23 of 2007 to execute the arbitration awards. Later E.A.Nos.44 & 45 of 2009 were filed by this revision petitioner under Section 47 of C.P.C r/w Section 48 of the Arbitration and Conciliation Act, 1996 seeking order to



C.R.P.(MD)Nos.1141 & 1142 of 2016

pursuance of the order passed by this Court in this matter, he deposited Rs.12.50 lakhs each in arbitration original petition before the trial Court itself. It is further submitted that in spite of repeated adjournment, the respondent did not appear before the arbitration Court and EP Court. The submission of the learned counsel for the petitioner is placed on record.

4.Pending this matter report was called for from the learned Principal District Judge, Tuticorin. Reading of the report of the learned Principal District Judge, Tuticorin, shows that because of the pendency of Transfer C.M.P.(MD).No.359 & 360 of 2016, the further proceedings in Arbitration O.P.Nos.222 and 223 of 2007 and E.P.Nos.22 of 2007 & 23 of 2007 is still pending. According to the petitioner, all the transfer civil Miscellaneous Petitions are disposed of. There is no bar for the Principal District Judge to take the main original petitions for hearing.

5.There shall be a direction to the Principal District Judge, Tuticorin, to dispose of the Arbitration O.P.Nos.222 and 223 of 2007 and E.P.Nos.22 and 23 of 2007, as early as possible, preferably within a period of five months from the date of receipt of a copy of this order.



C.R.P.(MD)Nos.1141 & 1142 of 2016

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6. With the above said directions, these two civil revision petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

04.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

1. The Principal District Judge, Tuticorin.

2. The Section Officer,
E.R. Section/V.R. Section,
Madurai Bench of Madras High Court, Madurai.



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C.R.P.(MD)Nos.1141 & 1142 of 2016

G.ILANGO VAN,J.

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C.R.P.(MD)Nos.1141 & 1142 of 2016

04.11.2024