



O.P.No.116 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

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THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

O.P.No.116 of 2011

The Board of Trustees of Chennai Port Trust

Rep. by its Chief Engineer i/c

Rajaji Salai, Chennai 600 001

.. Petitioner

Vs.

1.M/s.Chokkaiyan Karthikeyan & Co.

Rep. by its Managing Partner

No.83, EVK Sampath Road (Pudusanthai Road)

Erode 638 003

2.M/s.Nilakantan & Brothers Constn. Pvt. Ltd.

Rep. by its Managing Director

No.2, First Floor, 'Gokul Towers'

7, C.P.Ramasamy Road

Chennai 600 018

3.Hon'ble Mr.Justice J.Kumar Rajarathinam

Presiding Arbitrator

No.7, Moores Road, Chennai 600 006

4.Hon'ble Mr.Justice J.Kanakaraj

Arbitrator

No.3, Justice Ramanujam Road

Malaviya Avenue, Shastri Nagar, Chennai 600 041

5.Hon'ble Mr.Justice K.P.Sivasubramaniam

Arbitrator

No.46, Pulla Avenue, Shenoy Nagar

Chennai 600 030

.. Respondents



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Petition filed under Section 34 of the Arbitration and Conciliation Act, 1996, to set aside the awards dated 21.08.2010 and 16.10.2010 passed by the Arbitrators/respondents 3 to 5 herein.

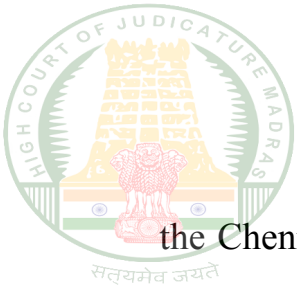
For Petitioner : Mr.R.Karthikeyan
For R2 : Mr.K.Harishankar

ORDER

The Chennai Port Trust filed the present petition under Section 34 of the Arbitration and Conciliation Act, 1996 (in short “the Act”), as against the relief that was granted in paragraph 78(c) of the award.

2. After the award was passed, the award was amended through an order dated 16.10.2010 and one of the contentions that was put forth by the Chennai Port Trust was that the value of the work done was only Rs.31,90,482/- and whereas the Arbitral Tribunal has awarded a sum of Rs.38,78,755/-. Therefore, the Chennai Port Trust sought for the correction in the total amount that was determined by the Arbitral Tribunal. The Arbitral Tribunal rejected this request on the ground that it does not come within the scope of Section 33 of the Act.

3. When the matter was taken up for hearing today, the learned Standing Counsel appearing on behalf of the Chennai Port Trust submitted that the amount that was awarded by the Arbitral Tribunal was ultimately satisfied by



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the Chennai Port Trust and to substantiate the same, the learned counsel relied

upon the letter dated 17.12.2010 and also the receipt dated 29.03.2011. The 2nd respondent has received a sum of Rs.31,90,482/- and has informed the Chennai Port Trust that they do not have any further claim.

4. In the light of the above development, nothing further needs to be dealt with in this petition and accordingly, this petition stands disposed of. No costs.

14.10.2025

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Index : Yes/No

Neutral Citation : Yes/No



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