



W.P.(MD) No.5370 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

W.P.(MD) No.5370 of 2025

K.Karuppa Samy ... Petitioner

Vs

- 1 The General Manager,
Southern Railway, Park Town,
Chennai - 600003.
- 2 The Chief Administrative Officer / Construction,
Southern Railway,
Egmore,
Chennai - 8.
- 3 The Chief Engineer / Construction / South,
Southern Railway,
Egmore,
Chennai - 8.
- 4 The Deputy Chief Engineer / Construction - III,
Southern Railway,
Madurai.
- 5 Sri Jay Prakash
Presiding Arbitrator,
Deputy Chief Mechanical Engineer (DSL),
Rolling Stock Workshop,
Charbagh, Northern Railway,
Lucknow.



W.P.(MD) No.5370 of 2025

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6 Sri Salim Javid

Arbitrator,

Deputy FA & CAO/G,

Office of PFA, Headquarters,

Southern Railway, Park Town,

Chennai – 600003.

...

Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondents to consider the representation of the petitioner, dated 14.02.2025, to expedite the arbitral proceedings in No.Arbitration/40/MNM/20056/KAR and pass final award.

For Petitioner : Ms.Dharshana,
for Mr.S.Ramsundarvijayraj.

For Respondents 1 to 4 : Mr.K.Govindarajan,
Deputy Solicitor General of India.

ORDER

The petitioner seeks for a mandamus to direct the respondents to consider his representation, dated 14.02.2025, to expedite the arbitral proceedings in No.Arbitration/40/MNM/20056/KAR and pass final award.

2. The petitioner states that he is the Railway Contractor, who has done several works. One such work is the construction of a retaining wall and



W.P.(MD) No.5370 of 2025

WEB COPY

protective works in Tirunelveli during Meter Gauge to Broad Gauge conversion and also a similar work in Quilon-Tenkasi-Tirunelveli-Tiruchendur and Tenkasi-Virudhunagar, as part of Gauge conversion.

3. He pleads that though work has been completed, disputes arose with regard to security deposit and other payments. Therefore, invoking the arbitration clause, the petitioner and the Railways approached the respondents 5 and 6.

4. According to the petitioner, though the matter had been pending since 2018, no steps have been taken to finalise the proceedings. Hence, he came forward with the present Writ Petition.

5. When the matter came up for admission, I heard Ms.Dharshana, for the petitioner; and Mr.K.Govindarajan, Deputy Solicitor General of India, for the official respondents. Mr.Govindarajan pleaded that he would get instructions from the respondents 1 to 4.

6. When the matter is taken up for hearing today, Mr.Govindarajan stated that the Railways will complete the arbitration within a period of six months from the date of receipt of copy of this order.

7. Ms.Dharshana stated that the matter has been pending for a long time and hence it requires a direction.



W.P.(MD) No.5370 of 2025

WEB COPY

8. Considering the submissions of both sides, there shall be a direction to the respondents 5 and 6 to complete the arbitration within a period of six months from the date of receipt of copy of this order.

9. Writ Petition is allowed accordingly. No costs.

01.04.2025

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

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W.P.(MD) No.5370 of 2025

WEB COPY

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W.P.(MD) No.5370 of 2025

V.LAKSHMINARAYANAN, J.

dixit

W.P.(MD) No.5370 of 2025

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