



OSA (CAD). No.57 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2026

CORAM

THE HONOURABLE MR. JUSTICE C.V. KARTHIKEYAN

AND

THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

OSA.(CAD). No.57 of 2022
and Cross Objection No.48 of 2023
and C.M.P.No.7599 of 2025

OSA.(CAD). No.57 of 2022

V.O.Chidambaranar Prt Trust,
Through its Chairman,
Tuticorin – 628 004

... Appellant

Vs

Dakshin Bharat Gateway Terminal Private Limited,'

th

141, 14 Floor, Jolly Maker Chambers II,
Nariman Point, Mumbai – 400 021.

Represented by its Authorized Signatory,
Ananda Padmanaban S.Subba Rao.

... Respondent

PRAYER:- Original Side Appeal has been filed under Section 13(1) of Commercial Courts Act r/w Order XXXVI Rule 9 of the Original Side Rules, 1994 r/w Section 37 of Arbitration and Conciliation Act, 1996, praying to set aside the Fair and decretal order dated 22.02.2022 passed in O.P.No.979 of 2019 and pass further orders.

For Appellant : Mr.R.Yashod Varadhan
Senior Counsel



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for Mr.Yashwanth
For Respondent : Mr.Raj Jhabakh

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Cross Objection No.48 of 2023

Dakshin Bharat Gateway Terminal Private Limited,'
th

141, 14 Floor, Jolly Maker Chambers II,
Nariman Point, Mumbai – 400 021.

Represented by its Authorized Signatory,

Ananda Padmanaban S.Subba Rao. ... Cross appellants/ Respondent

Vs

V.O.Chidambaranar Prt Trust,

Through its Chairman,

Tuticorin – 628 004.

(now V.O.Chidambaranar Port Authority) ... Respondent/ Appellant

PRAYER:- Cross Objection Appeal has been filed under Order XXXVI R.1, read with Order XLI Rule 22 of CPC read with Section 37 of the Arbitration and Conciliation Act, 1996 read with Section 13(1) of the Commercial Courts Act, 2015 and with Clause 15 of the Letters Patent Act, 1856) praying to set aside the Fair and decreetal order dated 22.02.2022 passed in O.P.No.979 of 2019 and pass further orders.

For Appellant : Mr.Raj Jhabhak

For Respondent : Mr.B.Sanjay Balachander



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COMMON JUDGMENT

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(Order of the Court was made by Mr.K.KUMARESH BABU.,J.)

The present Original Side Appeal has been filed challenging the order dated 22.02.2022 passed in O.P.No.979 of 2019.

2. Today, when the matter is taken up hearing, a Memorandum of Compromise had been filed by the respective parties, as also affirmed by the learned counsels appearing on either side indicating that the parties have reached a settlement with regard to the claims raised in this Appeal and prays this Court to dispose of the OSA on the terms of the Memorandum of Compromise filed before us. The said Memorandum of Compromise shall form part and parcel of the order.

3. In view of the Memorandum of Compromise filed by the parties, no further adjudication is required to be made in this Appeal and accordingly, the O.S.A. as well as the Cross Objection stands disposed of as being settled out of Court.

4. In view of the disposal of the OSA and the Cross Objection based



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on the settlement arrived at between the parties, the Registry is directed to refund the Court fee paid as applicable under the Rules. Consequently, connected miscellaneous petition is also closed. However, there shall be no order as to costs.

(C.V.K.,J.) (K.B., J.)
17.02.2026

Index: Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
Gba

To

The Central Administrative Tribunal,
Chennai Bench, Chennai.
Represented by its Registrar.



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C.V. KARTHIKEYAN., J.
and
K.KUMARESH BABU.,J.

Gba

OSA.(CAD). No.57 of 2022
and Cross Objection No.48 of 2023
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