



C.M.P.(MD)No.14359 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.03.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**C.M.P.(MD)No.14359 of 2025
in
Arb.Appeal (MD)No.5 of 2025**

S.Venkadesan

... Petitioner

Vs.

1.The Project Director,
National Highways No.45E and 220,
National Highways Authority of India,
Having his Office at plot No.3,
Suriya Towers, 2nd Floor,
1st East Street, K.K. Nagar,
(Near Muthuvelrajan Hospital),
Madurai - 625020.
Presently at Plot No. 1,
Aishwaryam Heights,
Indira Nagar Sennamanaickenpatti (Post),
Thadikombu Road,
Dindigul - 624 004.

2.The Special District Revenue Officer /
Competent Authority for Land Acquisition,
National Highway – 45E & 220,
Collectorate Buildings, Theni.

... Respondents



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Prayer : Miscellaneous Petition is filed under Section 151 of the Civil Procedure Code, to re-open the batch of cases which were disposed of on 09.04.2025.

For Petitioner : Mr.R.Govindaraj

For Respondents : Mr.K.Govindarajan,
Deputy Solicitor General of India,
For Mr.P.Karthick for R1.
Mr.G.V.Vairam Santhosh,
Addl. Government Pleader for R2.

ORDER

(Order of the court was delivered by G.R.Swaminathan, J.)

Heard both sides.

2.We had allowed the arbitration appeals filed by NHAI on the ground that the Principal District Judge while exercising the jurisdiction under Section 34 of the Arbitration and Conciliation Act, 1996 could not have modified the arbitral award passed by the District Collector. However, we had given a window to the land owners. We made it clear that our order would be subject to the outcome of the reference pending in *Gayathri Balasamy Vs. M/s.ISG Novasoft Technologies Limited* case. We made it clear that if the Hon'ble Supreme Court were to hold



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that the District Courts can modify the award, then we would unhesitatingly reopen the proceedings. Unfortunately for the petitioners, in **Gayathri Balasamy** case, the Hon'ble Supreme Court held that Principal District Judge cannot modify the arbitral award while exercising the jurisdiction under Section 34 of the Act. Therefore, this civil miscellaneous petition is not maintainable and it stands dismissed. No costs.

(G.R.S. J.) & (M.J.R. J.)
30.03.2026

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

To:

The District Revenue Officer / Competent
Authority for Land Acquisition,
National Highway – 45E & 220,
Collectorate Buildings, Theni.



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G.R.SWAMINATHAN, J.
and
M.JOTHIRAMAN, J.

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