



WEB COPY

C.M.A.No.1404 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2026

CORAM

THE HONOURABLE MR.JUSTICE **P.VELMURUGAN**

and

THE HONOURABLE MRS.JUSTICE **K.GOVINDARAJAN THILAKAVADI**

C.M.A.No.1404 of 2023

Y.P.Kathiyayini

... Appellant

Vs

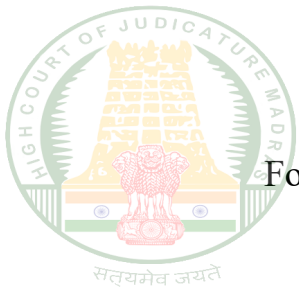
1. M/s.Sri Ram Constructions,
Represented by its Managing Partner
V.Selvam.

2. S.Shanmugam
District Judge (Retd.,) Arbitrator

... Respondents

[added as a formal party and the appellant gives up
the second respondent]

Prayer: Civil Miscellaneous Appeal filed under Section 37(1)(c) of Arbitration and Conciliation Act, 1996 read with Section 13(1) of Commercial Courts Act, to set aside the order dated 24.04.2023 passed in A.O.P.No.86 of 2023 by the Commercial Court (District Judge Cadre) Coimbatore, and consequently allow the A.O.P.No.86 of 2023.



For Appellant(s): Mr.T.Saikrishnan

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J U D G M E N T

(Judgment of the Court was made by P.Velmurugan J.)

On 03.06.2026, this Court passed the following order :

“ Fresh notice to the 1st respondent with correct address returnable by four weeks. Batta to be paid within 3 working days with all norms.

2. Private Notice is also permitted and the Affidavit of Service has to be filed within four weeks.

3. List the matter after four weeks on filing of Affidavit of Service.”

2. It is seen from the records that the appellant has failed to pay the batta within the time stipulated by this Court for the issuance of Court notice. The appellant has thus failed to prosecute the case with due diligence. Accordingly, this Civil Miscellaneous Appeal is dismissed for default. No costs.

(P.V.,J.) (K.G.T.,J.)

01.07.2026

ms



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To
The Judge,
Commercial Court (District Judge Cadre)
Coimbatore.



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P.VELMURUGAN, J.,

and

K.GOVINDARAJAN THILAKAVADI, J.,

ms

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