



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-07-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

A No. 1555 of 2026

Thiruchittampalam Associate India Pvt Ltd.,
Now known as Thiruchittampalam Project Ltd.,
Represented by its Managing Director,
S.Ravi @ Revimaniyan,
No.126/49-1, K.P.Road,
Chettikulam Junction,
Nagercoil, Kanyakumari District.

..Applicant(s)

Vs

The President
Agricultural Produces,
Producers @ Traders Association (APPTA),
No.2/69/B, APPTA Nagar,
Ozhuginasery, Nagercoil,
Kanyakumari District.

..Respondent(s)

Judge's Summon under Order XIV Rule 8 of O.S. Rules read with Section 27 of Arbitration and Conciliation Act, praying to issue summon to the District Registrar, S.L.B Girls Government School (Near), South road, Nagercoil, Kanniyakumari District - 629 001 to appear before the Arbitral Tribunal of Hon'ble Mr.Justice K.Venkataraman (Former Judge, Madras High Court) Sole Arbitrator, Arbitration Centre, High Court Campus, Madras for adducing evidence and to produce the Balance Sheets of APPTA (Agricultural Produces, Producers and Traders Association) from the period of 2006-2007 to till 2024-2025 in Application No.5 of 2025 in Arbitration Case No.5 of 2014 within time frame fixed by this Hon'ble Court.



For Applicant(s): Mr. E.C.Ramesh

For Respondent(s): Mr.R.Murali

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ORDER

This application has been filed to issue summon to the District Registrar, S.L.B Girls Government School (Near), South road, Nagercoil, Kanniyakumari District - 629 001 to appear before the Arbitral Tribunal of Hon'ble Mr.Justice K.Venkataraman (Former Judge, Madras High Court) Sole Arbitrator, Arbitration Centre, High Court Campus, Madras for adducing evidence and to produce the Balance Sheets of APPTA (Agricultural Produces, Producers and Traders Association) from the period of 2006-2007 to till 2024-2025 in Application No.5 of 2025 in Arbitration Case No.5 of 2014 within time frame fixed by this Hon'ble Court.

2. Heard both sides.

3. The present application has been taken up, invoking Section 27 of the Arbitration and Conciliation Act for issuance of the summons to the District Registrar, S.L.B Girls Government School (Near), South road, Nagercoil, Kanniyakumari District - 629 001, to appear before the Arbitral Tribunal for adducing evidence and for production of certain documents before the learned Arbitrator. The said application has been taken up on the strength of the minutes



of the learned Arbitrator dated 19.11.2025. The learned Arbitrator, without entering upon the merits or the relevancy of the evidence that is sought to be brought by summoning the witnesses, permitted the claimant to move the necessary application before this Court and also gave liberty to the respondent therein to raise all objections before this Court.

4. In that regard, it would be useful to refer to the judgment of this Court in Application Nos.2332 to 2335 of 2025 dated 16.10.2025, in which this Court had analysed the scope of Section 27 along with Section 17 of the Act. This Court had come to the conclusion, on an analysis of the aforesaid provisions, that the role of the Court under Section 27 is only to assist the arbitral proceedings and that the learned Arbitrator can himself decide as to whether the documents that are sought for and the disclosure of details, and decide whether such details are material for the dispute to be decided by the Arbitrator. Thereafter, this Court had also come to the conclusion that the Arbitrator has powers under the scheme of the Act to take a decision on the merits of the application.

5. Since the learned Arbitrator had not dealt with the merits of the application, particularly as to whether the documents sought to be produced are relevant for the resolution of the disputes, this Court is of the view that the present application can be decided on the merits by the learned Arbitrator. If so



required, the applicant may be at liberty to move this Court for enforcing the attendance of the said witnesses by filing the necessary application.

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6. I am also in agreement with the learned Judge. Apart from that, it is also pertinent to note that the learned Arbitrator, who has been dealing with the proceedings, is conversant with the facts based upon the statement of claim, counter statement and any further pleadings of the parties and has also had the occasion to record the evidence in the dispute between the parties. In that regard, the learned Arbitrator himself would be the appropriate person to decide whether the witnesses sought to be summoned and the documents sought to be produced through them are relevant to the facts and circumstances of the case.

7. In such view of the matter, the application stands disposed of, with a request to the learned Arbitrator to decide the application on merits, within a period of eight weeks from the date of receipt of a copy of this order.

29-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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Note: Issue order copy on 31.07.2026



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K.KUMARESH BABU, J.

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