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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Arb O.P(COM.DIV.) No. 313 of 2026

Kotak Mahindra Bank ltd.,
Having its registered office at
27 BKC, C27, G Block,
Bandra Kurla Complex,
Bandra, Mumbai - 400 051.
and a Branch Office at
402 L, Samson Tower, pantheon Road,
Egmore, Chennai - 600 008.
Represented by its Authorised Signatory
Mr.B.Abhijeet Pujari

..Petitioner(s)

Vs

Udhayam Aquatics
No.24, Gangai Amman Kovil Street,
School Road, Kolathur, Chennai - 600 099.

..Respondent(s)

PRAYER : Petition filed under Section 11(6)(a) of the Arbitration and Conciliation Act, 1996 to appoint a Sole Arbitrator to adjudicate upon the differences and disputes between the parties under the Overdraft Agreement dated 20.09.2022 bearing Contract No.5247107468.

For Petitioner(s): Mr.Ra. Sivadhara Adiyaman

For Respondent(s): Mr.Balaji for M/s.Shri Balaji Law Associates.

ORDER

This Arbitration Original Petition has been filed under Section 11(5) of the Arbitration and Conciliation Act, 1996 to appoint a Sole Arbitrator to

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adjudicate the differences and resolve the disputes between the petitioner and the respondents in accordance with the terms of the Overdraft Agreement dated 20.09.2022.

2. Heard Mr.Ra. Sivadhara Adiyaman, learned counsel for the petitioner.

3. From a reading of the Overdraft Agreement dated 20.09.2022 entered to between the petitioner and the respondent, it could be seen that the parties have agreed to resolve the disputes by appointing an Arbitrator. A notice under Section 21 of the Arbitration and Conciliation Act, 1996 was issued by the petitioner on 31.12.2024.

4. However, when the matter was taken up for hearing today, Mr.Balaji, learned counsel appearing for the respondent would submit that he has no objection for appointment of an Arbitrator to enter upon the dispute that had arisen between the parties.

5. In view of the Overdraft Agreement and considering the nature of claim, this Court deems it appropriate to appoint an Arbitrator. Accordingly, M/S.A.Angel Mary Thangam**,** Advocate, (Mobile No.87782 48569) having

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address at Women Lawyer's Association, 1st Floor, Addl Law Chamber, High Court Building, Ch-104, is appointed as Sole Arbitrator to enter upon the reference and resolve the disputes between the petitioner and the respondent.

6. The learned Sole Arbitrator is entitled to fix her fees as per the Schedule-IV of the Act. This Court further requests the learned Sole Arbitrator to endeavour to decide the dispute as expeditiously as possible.

7. Accordingly, this Arbitration Original Petition is ordered. No costs.

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

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K.KUMARESH BABU, J.

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