



WEB COPY

OA No. 551 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

OA No. 551 of 2026

Smt P Kalyanasundaravalli

..Applicant(s)

Vs

1. Indian Oil Corporation
Rep.by its Divisional Retail Sales Head,
Marketing Division
Chennai Divisional Office,
No.550, Anna Salai,
Teynampet,
Chennai 600 018.
2. The Executive Director and Sales Head
Tamil Nadu State Office,Marketing
Division,No.139, Nungambakkam High
Road,Chennai 600 034.

..Respondent(s)

Judge's Summon filed under Order XIV Rule 8 of O.S. Rules read with Section 9(ii) (d) of Arbitration and Conciliation Act, 1996, praying to grant an order of Interim Injunction restraining the Respondents from effecting the order of termination of dealership of the Applicant dated 07/04/2025 in Ref.CDO/BHAKTHAVATCHALAM passed by the 2nd respondent by continuing the supply of petroleum products as per the dealership agreement dated 31/03/2018 till the disposal of Arbitration proceedings.

For Applicant(s): Mr.Jothimanian M R

For Respondent(s): Mr.Mohammed Fayaz Ali



Order

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This Original Application has been filed to grant an order of Interim Injunction restraining the Respondents from effecting the order of termination of dealership of the Applicant dated 07.04.2025 in Ref.CDO/BHAKTHAVATCHALAM passed by the 2nd respondent by continuing the supply of petroleum products as per the dealership agreement dated 31.03.2018 till the disposal of Arbitration proceedings.

2. Heard both sides.

3. When the matter was taken up for hearing, it was indicated by the learned counsel appearing for the applicant that a Section 21 notice had been issued to the respondents and they have also presented an application under Section 11 for appointment of an Arbitrator. In that regard, this Court had queried upon the learned counsel appearing for the respondents as to whether the matter could be referred to an Arbitrator and the learned counsel appearing for the respondents, noting the dispute that had arisen between the parties, pursuant to which the interim orders had been granted by this Court and the supply had been resumed, would submit that he would have no objection for appointment of an Arbitrator.



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4. The learned counsel for the applicant had suggested a retired Judge of this Court, whereas the respondents had sought this Court to appoint an Arbitrator other than the one suggested by the learned counsel appearing for the applicant.

5. Accordingly, this Court appoints Justice Thiru.N.Kirubakaran, Former Judge of Madras High Court, having address at No:36, 2nd Cross Street, Rayala Nagar, Ramapuram, Chennai – 600 089 (Mobile No.94450 25454) is appointed as the Sole Arbitrator to arbitrate the dispute between the parties and he is also entitled to fix his own fees.

6. In view of the same, the application stands disposed of, with liberty to the applicant to move an application under Section 17 of the Arbitration and Conciliation Act for the very same relief that had been granted.

7. In that event, the Arbitrator is requested to consider the same and pass appropriate orders within a period of four (4) weeks therefrom. The applicant is also directed to make such an application before the Arbitrator within a period of one (1) week from the date of the Arbitrator entering upon the reference. Till



the disposal of the application as indicated above, the interim order shall remain in force. No costs.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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Note: Registry is directed to issue order copy on 20.07.2026.



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K.KUMARESH BABU J.

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