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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-08-2026

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

Arb Appeal No. 45 of 2026

and

CMP.No.8397 of 2026

T.Janamma alias Janakamma (Died)

T.Ramana Reddy (Died)

1.T.Ramalakshamma(Died)

W/o.Late Bheem Reddy,

Rep.by her GPA Holder K.Geetha

C/o.Plot No.100, Vinayaka Residency,

Agriculture Colony, Hastinapuram,

Hyderabad,

Rep.by her GPA Holder K.Geetha

W/o.Thirupathy Reddy,

R/o.87/1108-R-P-N, Rampriya Nagar,

Kurnool, Andhra Pradesh – 518 002.

(Cause title accepted vide Court order dated
17.12.2024 made in CMP.No.28688 of 2024
in Arb.Appeal SR.No.149735 of 2024)

2.K.Annapurna Devi

W/o.T.Ramana Reddy,

R/o 87/1108-R-P-N, Rampriya Nagar,

Kurnool, Andhra Pradesh 518002.

Being mentally disabled person represented by

Her mother K.Geetha W/o.Thirupathy Reddy

Aged about 53 years,

R/o 87/1108-R-P-N, Rampriya Nagar,

Kurnool, Andhra Pradesh 518002.

[K.Geetha Recognized as General Power of
attorney to Appellants/Petitioners vide Court
order dated 22.01.2025 made in CMP.No.306 of
2025 in Arb.Appeal SR.No.149735 of 2024)



..Petitioner(s)

Vs

Mythri Finance Private Limited
Re. by its Managing Director,
Kakanooru Narendranath Reddy,
S/o. Late K. Venkata Rami Reddy,
D.No. 49-49/M, Maddur Nagar,
Kurnool 518 002.

..Respondent(s)

Arbitration Appeal filed under Section 37 (2) (b) of the Arbitration and Conciliation Act, 1996, praying to set aside the order dated 16.06.2023 made in I.A.No.005/2023 in Arbitration No.008/2020 on the file of the Arbitral Tribunal consisting of Sole Arbitrator, Chennai.

For Petitioner(s): Mr.S.Ramachandran

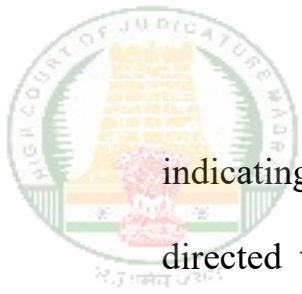
For Respondent: No appearance

JUDGMENT

The present Arbitration Appeal has been filed to set aside the order dated 16.06.2023 made in I.A.No.005/2023 in Arbitration No.008/2020 on the file of the Arbitral Tribunal consisting of Sole Arbitrator, Chennai.

2. Heard the learned counsel appearing for the applicant.

3. The primordial contention had been raised by the learned counsel for the appellant that there had been no arbitration proceedings in which he is a party, which had been initiated or was pending, as he had not received any notice in the same. In the appeal, notice upon the respondents was returned



indicating “no such person”. Hence, by order dated 28.07.2024, this Court had directed the Registry to issue notice to the Arbitrator for production of the records in the arbitration proceedings upon which the present impugned order had been passed. Further, a direction was also issued by this Court to depute a Special Messenger in the rank of a Section Officer for service of such notice and summons. Mr.Nandigama Siva Nageswara Rao, Section Officer was nominated as a Special Messenger, and the Special Messenger had returned the summons indicating that, in the said address given, he had met the owner of the residential house, who had informed him that there was no such person residing at the said address. For better appreciation, the endorsement made by the Special Messenger is extracted hereunder:

“In the above said address, I met the house owner named Mr.Vinoth Reddy (Cell No.9884991648) and he informed that there is “No such Person” in this address named Mr.Sri.A.Maheswar Reddy, Arbitrator. Hence this notice is returned unserved on 04.08.2026.”

4. This Court, in its order dated 28.07.2024, had noted the discrepancies that caused a grave suspicion in the manner in which the order had been passed, particularly noting that the address of both the respondents as well as the Arbitrator are one and the same, and also that the Court notice had been returned unserved as “no such person”. The attempted service on the Arbitrator,



which had also been futile, only affirms the grave suspicion.

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5. Accordingly, the appeal stands allowed, the order dated 16.06.2023 made in I.A.No.005/2023 in Arbitration No.008/2020 on the file of the Arbitral Tribunal consisting of Sole Arbitrator, Chennai stands set aside, and there shall be a direction to the jurisdictional Tahsildar and Joint Sub-Registrar, Itikyala Mandal, not to create any encumbrance. If any encumbrance had been made pursuant to the notice issued by the Sole Arbitrator, they are directed to forthwith rectify the same and remove such encumbrance. No costs. Consequently, connected miscellaneous petition is closed.

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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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