

In the High Court of Judicature at Madras

Dated : 23.04.2015

Coram :

The Hon'ble Mr.Sanjay Kishan Kaul, Chief Justice

O.P.No.775 of 2014

M.Jeyakumar .. Petitioner

-vs-

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Fisheries Department, Fort St. George,
Chennai.

2.Tamil Nadu Fisheries Department,
Rep. by its Director/Commissioner of
Fisheries, DMS Complex, Anna Salai,
Teynampet, Chennai.

3.The Assistant Director of Fisheries,
Dindugal. ..Respondents

Petition filed under Sections 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint an Arbitrator to resolve the disputes between the petitioner and the respondents in terms of clause 39 of the lease deed dated 25.09.2013 between the parties.

For Petitioner : Mr.G.Ethirajulu

For Respondents : M.Jayesh B.Dolia
for M/s.Aiyar & Dolia

* * * * *

O R D E R

The present petition under Section 11(4) of the Arbitration and Conciliation Act, 1996, arises from the inaction of the respondents to appoint an Arbitrator in terms of the orders passed in W.P.(MD) No.2867 of 2014 dated 20.01.2014.

2.It is informed that despite the requirement of the respondents to appoint the arbitrator, till date no arbitrator has been appointed, despite the time period having lapsed and thus, there is no option but for this Court to appoint an arbitrator, as the parties are not at lis that the disputes are liable to be settled through arbitration and the jurisdiction of this Court. Learned counsel for the parties state that by agreement, the arbitration be conducted under the aegis of the Madras High Court Arbitration Centre and the parties will be governed by the Rules of the Centre.

3.Thus, by consent of learned counsel for parties, I appoint **Mr.R.Yashod Vardhan, Advocate,** having office at No.155, 3rd Floor, Linghi Chetty Street, Parrys, Chennai 600 001, as the Sole Arbitrator, to enter upon the reference and adjudicate the disputes inter se the parties under the

ageis of the Madras High Court Arbitration Centre and the parties will be governed by the Rules of the Madras High Court Arbitration Centre.

4.The original petition is, accordingly, allowed, leaving the parties to bear their own costs.

Sd/..(S.K.K., CJ.)
23.04.2015

//Certified to be a true copy//

Dated this the day of 2015.

R.s/22.12.2015

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.

सत्यमेव जयते
WEB COPY