

In the High Court of Judicature at Madras

Dated : 05.06.2015

Coram :

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

O.P.No.777 of 2014

1.Stanislaus Prabakaran
2.N.Jayakumar

.. Petitioners

-VS-

B.N.Saravanan

.. Respondent

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint an Arbitrator for the settlement of dispute between the petitioners and the respondent in accordance with the Clause 17 of the Partnership Deed dated 11.06.2013.

For Petitioners : Mr.K.S.Sankar Murali

For Respondent : Mr.S.Elambharathi

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ORDER

The learned counsel for parties submit that keeping in mind the dispute between the brothers, being a family dispute, a methodology of MED-ARB be adopted.

2. In view of the aforesaid, the dispute is referred to the Mediation and Conciliation Centre, Madras High Court for mediation and the parties will appear before the Mediation and Conciliation Centre on 22.06.2015 at 2.15 P.M. The mediator will endeavour to resolve the dispute within a maximum period of two (2) months from the first date fixed for him or any extended period granted by this Court.

3. In the eventuality of there being failure of mediation, the dispute will be referred to the Arbitrator. However, the arbitration proceedings will not take place till the finalisation of mediation in terms aforesaid.

4. Thus, I, appoint **Mr.R.Killivalavan**, a retired District Judge, residing at Flat No.1-F, First Floor, Block-5, Swathy Valasai, 1st Cross, Saivam Avenue, 6th street, Jai Nagar, Valasaravakkam, Chennai-600 087 (Mobile No.9894240954) as the Sole Arbitrator to enter upon the reference and adjudicate the disputes inter se the parties. The arbitration proceedings will be conducted under the aegis of Madras High Court Arbitration Centre and the parties will be governed by the Rules of the Madras High Court Arbitration Centre (MHCAC) (Arbitration Proceedings)

& (Administrative Cost and Arbitrators' Fees) Rules, 2014.

5. The original petition is, accordingly, ordered, leaving the parties to bear their own costs.

(S.K.K., CJ.)
05.06.2015

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Note: Mark a copy to

1. The Addl. Registrar-Vigilance,
Madras High Court Arbitration Centre,
Madras High Court Campus,
Chennai.
2. The Arbitrator, as referred above.

The Hon'ble Chief Justice

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