

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11..09..2015

C O R A M

The Hon'ble Mr. **SANJAY KISHAN KAUL**, Chief Justice

Original Petition No.241 of 2015

Lotus Pond Residents Welfare Association
represented by its President Gurumoorthy
No.46, IT Highway, OMR, Thaiyur,
Kelambakkam, Kanchipuram District 603 103.

.. Petitioner

versus

M/s.Vijayshanti Builders Ltd.,
No.20/43, Kasthuri Rengan Salai
(Near Russian Culture Centre)
Alwerpet, Chennai 600 018.

.. Respondent

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Prayer : Petition filed under Section 11 of the Arbitration and Conciliation Act, 1996, for appointment of an Arbitrator to resolve the dispute between the petitioner association and the respondents as per Clause - 28 of the tripartite agreement entered between the members of the petitioner's association and the respondent.

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For Petitioner : Mr.Hari Radhakrishnan
For Respondents : Mr.R.Parthasarathy
for Mr. Sathish Parasaran

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ORDER

On hearing the learned counsel for the parties, it is agreed that the disputes *inter se* the members of the petitioner and the respondent be decided through the process of Arbitration of a sole Arbitrator under the aegis of the Madras High Court Arbitration Centre.

2. Learned counsel for the petitioner states that since the grievances *qua* common facilities, a composite claim petition with members disclosed will be filed on behalf of the association.

3. Learned counsel for the parties jointly propose the name of Thiru. Justice G.M. Akbar Ali, a retired Judge of the High Court of Madras, as the Sole Arbitrator.

4. In view of the arbitration agreement existing between the parties and in view of the aforesaid proposal, I appoint **Thiru. Justice G.M. Akbar Ali, a retired Judge of the High Court of Madras**, 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 allowed, leaving the parties to bear their own costs.

(S.K.K., CJ.)
11th September, 2015

ksr

The Hon'ble the Acting Chief Justice

(ksr)

O.P. No.241 of 2015

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