

In the High Court of Judicature at Madras

Dated : 28.04.2015

Coram :

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

O.P.No.55 of 2015

R.Krishna Kumar, Partner,
M/s.SriT.K.R.Brick Industries.

.. Petitioner

-VS-

R.Karthikeyan, Partner,
M/s.Sri T.K.R.Brick Industries.

..Respondent

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint a sole arbitrator to hear and decide the disputes between the parties arising out of the Arbitral Agreement/Partnership Deed dated 31.03.1997.

For Petitioner : Mr.S.Pugaleanthi

For Respondent : M/s.R.T.Shyamala

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ORDER

The Deed of Partnership dated 31.03.1997 between the partners has given rise to a dispute and it contains an arbitration clause 15 as under:

"15.In case of dispute between the partners of the firm, the same shall be referred to for adjudication of the Arbitrator of the anyone or more person as mutually agreed among the partners whose decision shall be final and binding on the partners. The provisions of the Indian Arbitration Act shall apply to such arbitration."

2.In view thereof, it is agreed that without admitting to the averments made in the petition on merits, leaving all defences open to the respondent, disputes having arisen and the jurisdiction of this Court not being denied, a reference be made to Mr.Justice K.Venkataraman, a retired Judge of this Court, as Sole Arbitrator, to adjudicate the dispute inter se the parties.

3.Thus, as proposed and agreed, I appoint **Mr.Justice K.Venkataraman**, a retired Judge of this Court, as the Sole Arbitrator, to enter upon reference and adjudicate the disputes inter se the parties. As agreed by the learned counsel for parties, the arbitration proceedings will be conducted under the aegis of the Madras High Court Arbitration Centre and the parties will be governed by the Rules of the Centre.

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

(S.K.K., CJ.)
28.04.2015

sra

Note: Mark a copy to

- (i) The Addl. Registrar-Vigilance
Madras High Court Arbitration Centre,
Madras High Court Campus, Chennai.
- (ii)The Arbitrator, as referred above.

The Hon'ble Chief Justice

(sra)

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