

In the High Court of Judicature at Madras

Dated : 11.12.2015

Coram :

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

O.P.No.735 of 2015

1.B.Lalitha
2.N.Prithiviraj
3.B.Premkumar
4.B.Pravin Kumar

.. Petitioners

-VS-

1.K.Vijayalakshmi
2.K.Kumaran
3.K.Anand

.. Respondents

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint an arbitrator to resolve the dispute in regard to the firm M/s.Spartan and Co. of which the petitioners and respondents are partners under deed of partnership dated 01.10.1994.

For Petitioners : Mr.M.S.Sampath

For Respondents : Mr.A.L.Somayaji
Senior Counsel
for
Mr.Adithya Reddy

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ORDER

The learned counsel for parties jointly propose and agree that Mr.Justice R.S.Ramanathan may be appointed as the Sole Arbitrator and

the arbitration be held under the aegis of Madras High Court Arbitration Centre.

2. I, thus, appoint Mr. Justice R.S. Ramanathan, a retired Judge of this Court to enter upon the reference and adjudicate the disputes *inter se* the 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 Madras High Court Arbitration Centre (MHCAC) (Arbitration Proceedings) & (Administrative Cost and Arbitrators' Fees) Rules, 2014.

3. The learned Senior Counsel for the respondents has invited the attention of this Court to paragraph 13 of the reply to the original petition to submit that the matter of this nature ought to have resulted in a comprehensive settlement and there are third parties who are involved in the connected disputes. His suggestion is that even those matters can be brought before the arbitrator, to which the learned counsel for the petitioners is not agreeable at present, especially, as they are third parties.

4. It is made clear that in case all concerned parties are willing to bring the additional disputes before the same arbitrator, they may do so.

5. The Original Petition is accordingly allowed, leaving the parties to bear their own costs.

(S.K.K., CJ.)
11.12.2015

Index : Yes/No
Internet : Yes/No
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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

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