

In the High Court of Judicature at Madras

Dated : 20.11.2015

Coram :

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

O.P.Nos.824 and 843 of 2015

P.Ravichandran

.. Petitioner in OP.824 /2015 and
Respondent in OP.843/2015

-VS-

1.K.Lathaa

2.K.Ramya

3.K.Sangeetha

.. Respondents in OP.824/2015
and Petitioners in OP.843/2015

O.P.No.824 of 2015 filed under Section 11 of the Arbitration and Conciliation Act, 1996, to appoint the second arbitrator in order to proceed further in constituting the Arbitral Tribunal in terms of Clause 30 of the Development Agreement dated 21.02.2012 to adjudicate upon the disputes / differences between the Petitioner and the Respondents and O.P.No.843 of 2015 filed under Sections 11 (4) & (5) of the Act to appoint a Sole Arbitrator to resolve the disputes between the parties, as per the agreement dated 21.02.2012.

For Petitioner in OP.824/2015

& Respondents in OP.843/2015

: Mr.Arun Karthik Mohan

For Respondents in OP.824/2015

& Petitioner in OP.843/2015

: Mr.M.Balasubramanian

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O R D E R

O.P.No.843 of 2015 being connected with the present matter (O.P.No.824 of 2015) has also been called and taken on board, which was otherwise required to be listed on 27.11.2015.

2.Learned counsel for both the parties have entered into appearance and state that instead of a Three-member Arbitral Tribunal, a Single-member Arbitral Tribunal may be constituted to save costs and that Mr.Justice K.Govindarajan, a retired Judge of this Court, be appointed as the Sole Arbitrator to adjudicate the disputes inter se the parties, under the aegis of the Madras High Court Arbitration Centre at Chennai, instead of the designated place at Trichy.

3.In view of the joint request of the learned counsel for parties, I appoint **Mr.Justice K.Govindarajan, a retired Judge of this Court,** as the Sole Arbitrator to enter upon the reference and adjudicate the disputes inter se the parties. As requested, 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 petitions are, accordingly, allowed, leaving the parties to bear their own costs.

(S.K.K., CJ.)
20.11.2015

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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

(sra)

O.P.Nos.824 and 843
of 2015

20.11.2015