

**In the High Court of Judicature at Madras**

**Dated : 27.11.2015**

**Coram :**

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

**O.P.No.948 of 2015**

Dr.R.Venkitapathy

.. Petitioner

-VS-

1.Dr.R.Krishnamoorthy

2.Dr.R.Lakshmipathy

3.R.Raghavan

4.Dr.R.Sathyamurthy

.. Respondents

Petition filed under Section 11 (6) read with Sections 14(1)(a) and 15(2) of the Arbitration and Conciliation Act, 1996, to appoint an arbitrator and to substitute the arbitrator so appointed in the place of Later Hon'ble Justice Mr.R.Jayasimha Babu in the pending arbitral proceedings between the petitioner and the respondents.

For Petitioner : Mr.R.Muthukumarasamy, S.C.  
For M/s.Prasad Vijayakumar

For Respondents : Mr.S.Elambharathi for RR 1 and 2  
: Mr.T.S.Baskaran for R-3  
: Mr.R.Parthiban for R-4

\* \* \* \* \*

**ORDER**

Notice, which is accepted by the learned counsel for the respondents.

2.The present petition has been filed occasioned by the demise of Justice R.Jayasimha Babu, who was the nominee arbitrator of claimants 1, 4 and 5. The concerned parties are ad idem that Mrs.Justice Chitra Venkataraman, a retired Judge of this Court, may be appointed in place of the deceased arbitrator. The objection is only by claimants 2 and 3, but they already have their nominee arbitrator on the panel and cannot interfere with the nomination of the nominee arbitrator of other claimants.

3.It is, thus, directed that the deceased arbitrator be replaced by **Mrs.Justice Chitra Venkataraman, a retired Judge of this Court.**

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

(S.K.K., CJ.)  
27.11.2015

Note: Copy of the order be sent to  
the respondents.

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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)

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