

In the High Court of Judicature at Madras

Dated : 26.02.2016

Coram :

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

O.P.No.205 of 2014

Sri Nachimuthu & Co.,
rep. by its Partner N.Srinivasan,
Civil & Electrical Engineering Contractors,
No.6, Viswanathapuram,
Nanganallur,
Chennai-600 114.

.. Petitioner

-VS-

Bharat Sanchar Nigam Limited,
rep. by its General Manager (Telecom),
BSNL, Telecom Bhavan,
Brough Road,
Erode-638 001.

.. Respondent

Petition filed under Section 11 (5) of the Arbitration and Conciliation Act, 1996, to appoint an Arbitrator or Arbitrators for settlement of the dispute with regard to the pending payment for laying of U.G. Cables at Dharapuram and Kangeyam S.D.C.A. done by the petitioner as per the agreement dated 22.05.2001 entered into between the petitioner and the respondent.

For Petitioner : Ms.Sugirdha Selvaraj

For Respondent : Mr.K.Anbarasan

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ORDER

On hearing the learned counsel for parties, it is agreed that the Original Petition be disposed of on the following terms:-

- (1) Mr.T.Mohandass, a retired District Judge, Old No.3, New No.5, Solaiamman Koil Street, Purasawalkam, Chennai-600 007 be appointed as the Sole Arbitrator to enter upon the reference and adjudicate the disputes *inter se* the parties.
- (2) Arbitration be held under the aegis of Madras High Court Arbitration Centre and the parties are governed by the Rules of the Madras High Court Arbitration Centre (MHCAC) (Arbitration Proceedings) & (Administrative Cost and Arbitrators' Fees) Rules, 2014.
- (3) All pleas, including the plea of limitation are free to be raised by the respondent before the Arbitrator.

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

(S.K.K., CJ.)
26.02.2016

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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