

In the High Court of Judicature at Madras

Dated : 18.03.2016

Coram :

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

O.P.No.346 of 2014

ITD Cementation India Limited
Rep.by its Authorised Signatory,
Mr.Kanchan Ranadive. ... Petitioner

-vs-

Board of Trustees
V.O.Chidambaranar Port Trust
(formerly "Tuticorin Port Trust")
Tuticorin, Rep. by its Chairman. ... Respondent

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint a Sole Arbitrator to decide the disputes between the Petitioner company and the Respondent arising out of the Contract Agreement for "Construction of Cargo Berth No.9 at Tuticorin Port" No.01CE/2007-2008 dated 05.04.2007.

For Petitioner : Mr.Cibu Vishnu
for M/s.Udwadia Udeshi & Argus

For Respondents : Mr.R.Yashod Vardhan, S.C.
For Mr.S.Yashwanth

* * * * *

ORDER

On hearing the learned counsel for parties, it is proposed that the disputes may be referred to arbitration, but subject to the objection of the respondent that there has been already full accord and satisfaction, an aspect to be considered by the Arbitrator.

2.Learned counsel for the parties jointly propose the name of 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, though the arbitration clause contains requirement of a panel of three Arbitrators, in order to reduce costs and that the arbitration proceedings be held under the aegis of the Madras High Court Arbitration Centre.

3.In view of aforesaid, as proposed and agreed, I appoint **Mr.Justice K.Venkataraman, 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 petition is, accordingly, allowed, leaving the parties to bear their own costs.

sd/.S.K.K.,CJ

18.03.2016

//Certified to be a true copy//
Dated this the day of 2016.

S.s/07.04.2016

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.

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