

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

**Dated : 29.04.2016**

**Coram :**

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

**O.P.Nos.195 to 201 of 2016**

M/s.Karismaa Foundations  
Rep. by its Managing Director,  
Mr.Rakesh Sheth.

.. Petitioner in all OPs.

-VS-

1.M/s.Olympia Infratech Private Limited  
Plot No.1, SIDCO Industrial Estate,  
Guindy, Chennai.

2.M/s.Opaline Hotels Private Limited,  
Plot No.1, SIDCO Industrial Estate,  
Guindy, Chennai.

.. Respondent in all OPs.

Petitions filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint an arbitrator to resolve the disputes arising out of the Work Orders dated 06.08.2010, 28.07.2011, 03.05.2012, 13.07.2012, 01.04.2011, 21.04.2011 and 13.07.2012 between the petitioner and respondent.

For Petitioner : Mr.Nithyaesh Natraj

For Respondents : Mr.K.J.Parthasarathy

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### **COMMON ORDER**

On hearing the learned counsel for parties, the learned counsel for the respondent states that there are seven separate work orders and three of them pertain to the respondent company, while four pertain to the sister concern, M/s.Opaline Hotels Private Limited. In fact, the documents placed on record even for M/s.Opaline Hotels Private Limited shows that the name of both the entities is mentioned with the same signatories.

2.In view of the aforesaid position, M/s.Opaline Hotels Private Limited, thus, is impleaded as the second respondent. Memo of parties be amended accordingly.

3.It is not in dispute that the arbitration clause exists and disputes have arisen inter se the parties and thus, disputes need to be resolved through the process of arbitration and it would be appropriate that there is a single arbitrator to arbitrate the disputes.

4.Thus, with consent of learned counsel for parties, I appoint **Mr.Anand Venkatesh, Advocate present in Court**, having office at

337, New Addl. Law Chambers, High Court, Chennai, Ph: 94440 14881, 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.

5.The original petitions are, accordingly, allowed, leaving the parties to bear their own costs.

(S.K.K., CJ.)  
29.04.2016

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Note: Registry to carry out necessary amendment.

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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