

In the High Court of Judicature at Madras

Dated : 01.07.2016

Coram :

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

O.P.No.21 of 2016

R.Velusamy

.. Petitioner

-VS-

- 1.The Union of India,
rep. by the General Manager,
Southern Railway, Chennai-600 003.
- 2.The Divisional Railway Manager (Works),
Salem Division, Southern Railway,
Salem-636 005.
- 3.The Divisional Engineer (Central),
Salem Division, Southern Railway,
Salem-636 005.
- 4.Mr.Ma.Vignavelu
Presiding Arbitrator,
Senior Divisional Engineer (Co-ordination),
DRM's Office, Southern Railway,
Salem Division, Salem.
- 5.Mr.P.K.Selvan,
Arbitrator,
Senior Divisional Electrical Engineer (TRD),
DRM's office, Southern Railway,
Salem Division, Salem.

6.Mr.P.K.Kamban,

Arbitrator,

Senior Divisional Finance Manager,

Salem Division, DRM's Office,

Southern Railway, Salem.

.. Respondents

Petition filed under Section 14, 15 r/w Section 11 of the Arbitration and Conciliation Act, 1996, to terminate the mandate of the illegal Arbitral Tribunal (comprising of the 4th, 5th and 6th respondents) and appoint an independent Arbitrator and refer all the disputes arising out of the Agreement No.SA/28 dated 30.01.2012 to Arbitration.

For Petitioner : Mr.Amalaraj

For Respondents : Ms.V.Bhavani Subbaroyan

* * * * *

ORDER

The learned counsel for the respondents has produced the list of six Officers. It is agreed that the existing Arbitral Tribunal be replaced by the following Arbitral Tribunal:-

(1) Shri. H.Anantharaman, Sr.DEN/West/MAS

(2) Shri.S.Manoharan, Dy.CE/P&D/MTP/MS

(3) Shri.B.Manoharan, Dy.CSTE/HQ/MAS

2. The senior most out of three will be the Presiding Arbitrator.

Ordered accordingly. The Arbitral Tribunal will endeavour to conclude the arbitration proceedings within a maximum period of six months of the receipt of this order.

3. The Original Petition, accordingly, stands disposed of. No costs.

(S.K.K., CJ.)
01.07.2016

bbr

The Hon'ble Chief Justice

bbr

O.P.No.21 of 2016

01.07.2016