

In the High Court of Judicature at Madras

Dated : 23.09.2016

Coram :

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

O.P.No.213 of 2016

M/s.Aadhya Logistics Ltd.,
Rep. by its Proprietor, Mr.Madhur Saha. ... Petitioner

-vs-

1.State Industries Promotion Corporation
of Tamil Nadu Ltd., 19/A, Rukmani
Lakshmipathy Road, Post Box No.7223,
Egmore, Chennai-600 008.

2.The Chief Secretary,
Government of Tamil Nadu,
Fort St. George, Chennai 600 009. ... Respondents

Petition filed under Section 11 (6) of the
Arbitration and Conciliation Act, 1996, to appoint an
Arbitrator to adjudicate upon the idfference and disputes
that have arisen between the parties hereto under lease
Agreement dated 26.11.2009.

For Petitioner : Mr.Anil Relwani
for M/s.N.V.S. & Association

For Respondents : M/s.Sudarsana Sundar for R-1
: Mr.M.Venugopal, Addl.G.P. (CS) /R-2

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O R D E R

Learned counsel for parties state that since
the mediation process has been unsuccessful and there
is no plot available of the requisite size to be

handed over to the petitioner, the first respondent would refund the full amount within a period of six (6) weeks.

2.The said statement is taken on record.

3.The only question, thus, which remains to be considered is as to whether any interest is payable on this amount and if so, at what rate and for which period. This is the dispute which is liable to be referred to arbitration.

4.As proposed and agreed by learned counsel for parties, I appoint **Mr.J.Krishnamoorthy, a retired Judicial Officer**, 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 petition is, accordingly, allowed, leaving the parties to bear their own costs.

Sd/S.K.K. ,CJ.

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//Certified to be a true copy//

Dated this the day of 2016

S.s/22.11.2016

COURT OFFICER

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