

In the High Court of Judicature at Madras

Dated : 29.07.2016

Coram :

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

O.P.No.306 of 2016

K.Ranjith

.. Petitioner

-VS-

1.Sharath Kumar Sharma

2.Darin J.Cooprider

.. Respondents

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint an Arbitrator to hear and decide the dispute between the petitioner and the respondents as described above in Paragraphs 1 to 7 arising out of Memorandum of Understanding dated 15.08.2006.

For Petitioner : M/s.R.Varalakshmi

For Respondents : Mr.Aditya Reddy

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O R D E R

Learned counsel for the parties jointly request that there is no issue with the matter to be referred to the sole arbitration for adjudication, but prior to that, an endeavour should be made to resolve the disputes through mediation.

2. In view of the existence of disputes, the arbitration clause being provided for and the jurisdiction being of this Court, the following directions are issued on the joint request as set out hereafter:

1. The parties will appear before the Tamil Nadu Mediation and Conciliation Centre, Madras High Court Campus, on 19.08.2016 at 2.15 p.m. The Mediator will endeavour to resolve the disputes within a period of two (2) months from the said date or any extended period as may be granted by this Court;
2. If the mediation process succeeds, well and good, otherwise the disputes shall stand referred to the sole arbitration of **Mr. Justice R.S. Ramanathan, a retired Judge of this Court**, who will enter upon 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.

3.The original petition is, accordingly, allowed, leaving the parties to bear their own costs.

(S.K.K., CJ.)
29.07.2016

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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

(sra)

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