

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.312 of 2016

S.Chandrasekaran

.. Petitioner

-VS-

1.G.Balakrishnan

2.A.Paramasivam

.. Respondents

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint an Arbitrator to resolve the dispute that has arisen between the parties in accordance with the terms and conditions of the Partnership Deed dated 01.04.2006.

For Petitioner : Mr.G.Muthukumar

For Respondents : Mr.M.S.Ramesh

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ORDER

The learned counsel for parties jointly state that both sides are claiming amounts against each other, though the stand of the respondents is that the claim of the petitioner is barred by time.

2. It is thus agreed that an Arbitrator may be appointed and the issue of petitioner's claim being time barred would in turn be determined by the Arbitrator.

3. In view of the existence of the disputes, arbitration clause existing between the parties and the jurisdiction of this Court not disputed, an Arbitrator has to be appointed by this Court.

4. As jointly proposed, I appoint Mr.R.Rajasekaran, a retired District Judge, 2A, Olive Apartment, May Flower Garden, Nanjundapuram Road, Coimbatore-641 036 (Mobile No.9442404275) as the Sole Arbitrator to enter upon the reference, adjudicate the disputes *inter se* the parties and upon hearing them, pass an award as expeditiously as possible, preferably within a period of six months from the date of communication of the order. The venue of arbitration will be Coimbatore.

5. The Original Petition is accordingly allowed, leaving the parties to bear their own costs.

(S.K.K., C.J.)
29.07.2016

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The Hon'ble Chief Justice

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