

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.340 and 435 of 2016

M/s.Sree Shanthosh Steels Private
Limited, Rep. by its Director,
Mr.P.K.P.Narayanamurthy. .. Petitioner in OP.340/2016

1.P.S.Shanthosh Kumar
2.P.N.Navaneetha Krishnan .. Petitioners in OP.435 of 2016

-vs-

M/s.Shri Veeraganapathi Steels
Pvt. Ltd., Rep. by its Managing
Director, Mr.Narayan Maheswari. .. Respondent in both OPs.

Petitions filed under Section 11 (6) (a) and 11(6) of the Arbitration and Conciliation Act, 1996, to adjudicate upon the disputes between the Petitioners and Respondent in connection with the Arbitration Clause in Clause 7 of the Memorandum of Understanding dated 06.02.2015 and Clause 12 of the Acknowledgement of Debt cum Personal Guarantee dated 10.02.2015 respectively.

For Petitioners : Mr.R.Palaniandavan

For Respondents : M/s.K.Subhashini

* * * * *

O R D E R

Learned counsel for parties state that there is agreement that the parties may first endeavour to resolve the disputes through mediation, failing which the matter may be referred to arbitration.

2.Learned counsel for the parties agree that the parties will appear before the Tamil Nadu Mediation and Conciliation Centre, Madras High Court Campus, on 29.09.2016. The Mediator will endeavour to conclude the proceedings within two (2) months from the date so fixed or any extended period as may be granted by this Court.

3.In case, the mediation process is not successful, then the matter shall go to arbitration and naturally the Arbitrator will begin the process only in case of failure of the mediation process.

4.Thus, as proposed and agreed, I appoint **Mr.Justice K.Venkataraman, a retired Judge of this Court**, as the Sole Arbitrator to enter upon the reference and adjudicate the disputes inter se the parties in both the cases. 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.)
23.09.2016

sra

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.
- (iii)The Assistant Registrar,
Tamil Nadu Mediation and Conciliation Centre,
Madras High Court Campus, Chennai.

The Hon'ble Chief Justice

(sra)

O.P.Nos.340 and 435 of 2016

23.09.2016