

In the High Court of Judicature at Madras

Dated : 09.09.2016

Coram :

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

O.P.No.472 of 2016

M/s.Sri Ram Construction
rep. by its Managing Partner,
Mr.V.Selvam.

.. Petitioner

-VS-

Dr.Y.P.Karthiyayini
Proprietrix, M/s.Platina Properties.

.. Respondent

Petition filed under Section 11 (5) of the Arbitration and Conciliation Act, 1996, to appoint a sole Arbitrator to resolve the disputes between the petitioner and the respondent viz; the disputes concerning the matters touching upon the agreement dated 26.02.2014 under section 11 (5) of the Act.

For Petitioner : Mr.R.Bharath Kumar

For Respondent : M/s.Madhuvanthi Mathavan

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O R D E R

As rightly pointed out by the learned counsel for the respondent, the present petition has to be treated as one under Section 11 (6) of the Arbitration and Conciliation Act, 1996 and not Section 11(5).

2.Learned counsel for parties state that they have obtained instructions that the parties are ready for arbitration, but instead of the named two Arbitrators, who would, in turn, elect the third Arbitrator, a single Arbitrator may be appointed.

3.Thus, as proposed and agreed, I appoint **Mr.S.Shunmugham, a retired Judicial Officer, residing at No.61, 3rd Cross Street, Thirumurugan Nagar, Vadavalli Post, Coimbatore,** as the Sole Arbitrator to enter upon the reference and adjudicate the disputes inter se the parties, with the venue at Coimbatore.

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

(S.K.K., CJ.)
09.09.2016

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.

The Hon'ble Chief Justice

(sra)

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