

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.11.2016

C O R A M

The Hon'ble Mr. **SANJAY KISHAN KAUL**, Chief Justice

Original Petition No.556 of 2016

M/s.Sweett (India) Pvt. Ltd., Company,
rep. By its Authorised Signatory
Mr.G.Sudhakar
First Floor Meridian House,
121/3, Manickam Avenue,
T.T.K.Road, Alwarpet,
Chennai 600 018

.. Petitioner

versus

M/s.Barath Building Construction (I) Pvt. Ltd.,
rep. By its Vice President Projects,
Mr.K.Sundarapandian,
registered Office at No.20, (Old No.23/2),
Mylai Ranganathan Street,
T.Nagar, Chennai 600 017.

.. Respondent

Prayer : Petition filed under Section 11 of the Arbitration and Conciliation Act, 1996, for appointment of an Arbitrator to resolve the disputes between the parties arising out of the Agreements between the petitioner and the respondent dated 24.12.2013.

For Petitioner : Mr.T.Karthick Srinath
For Respondent : Mr.Abdul Hameed

ORDER

There are three separate agreements, two with one entity and one with the petitioner. The Arbitration notice has been issued common to all three parties in the agreements and the disputes sought to be referred through arbitration also pertained to all the three agreements.

I am of the view that such a petition cannot be maintained and the petitioner is bound to serve notices in respect of claims arising from different agreements separately and thereafter, separate petitions would have to be filed especially when it is not a case where the respondent entity is one and the same.

The original petition is dismissed with liberty to take recourse to the aforesaid action.

Index:yes/no
ksr

(S.K.K., CJ.)
11.11.2016

The Hon'ble The Chief Justice

(ksr)

O.P. No.556 of 2016

11.11.2016

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