

In the High Court of Judicature at Madras**Dated : 11.11.2016****Coram :****The Hon'ble Mr.Sanjay Kishan Kaul, Chief Justice****O.P.No.603 of 2016**

M/s.R.K.Constructions,
rep. By its Managing Partner Mr.Kumar,
New 4th Ward, Chinnagoundampatti,
Tharamangalam Post,
Omalur Taluk, Salem District. ... Petitioner

-vs-

- 1.The Union of India,
rep. By the General Manager,
Southern Railway,
Chennai-600 003.
- 2.The Chief Engineer (Construction),
O/o The Chief Administrative Officer (Construction),
Southern Railway, Egmore,
Chennai-600 008.
- 3.The Deputy Chief Engineer (Gauge Conversion),
Previously at Villupuram, Presently at East Tambaram,
Near DSK Office, Southern Railway,
East Tambaram, Madras-600 059.
- 4.Mr.V.Nagamalleswara Rao (Arbitrator),
The Deputy Chief Signal & Telecommunication
Engineer (Project),
Southern Railway, Egmore,
Chennai-600 008. ... Respondents

Petition filed under Sections 14, 15 read with
Section 11 of the Arbitration and Conciliation Act, 1996,
to terminate the mandate of the arbitrator (i.e. the Fourth
Respondent) and appoint an independent Arbitrator to
arbitrate all the claims arising out of the Agreement

No.329/CN/2005 dated 13.10.2005 to Arbitration.

For Petitioner : Mr.S.Amalaraaj

For Respondent : Mr.V.G.Suresh Kumar

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O R D E R

After initial submissions, the learned counsel for parties agreed that Mr.N.Mohandoss, a retired District Judge may be appointed as the Sole Arbitrator.

2. As proposed, I appoint Mr.N.Mohandoss a retired District Judge, as the Sole Arbitrator to enter upon the 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.

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

//Certified to be a true copy//

Dated this the day of 2017

R.s/23.03.2017

COURT OFFICER

From 25.09.2008 the Registry is issuing certified copies of the Order/Judgment Decree in this format.