

In the High Court of Judicature at Madras

Dated : 10.02.2017

Coram :

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

O.P.No.804 of 2016

M/s.Visual BI Solutions (India) Private
Limited, Rep. by its Director,
Mr.Jayaraman Anantharaman.

.. Petitioner

-VS-

Abdul Rasheed Basudeen

.. Respondent

Petition filed under Section 11 (4) of the Arbitration and Conciliation Act, 1996, to appoint a Sole Arbitrator to hear and decide the dispute amongst the Parties arising out of the Lease Agreement dated 07th August 2012.

For Petitioner : Mr.Gaurav Chatterjee

For Respondent : Mr.Adinarayana Rao

* * * * *

O R D E R

Learned counsel for the parties state that the existence of disputes, there being an arbitration clause inter se the parties and the

jurisdiction of this Court are not in issue, but before taking recourse to arbitration, the parties would desire to first make an endeavour for settlement of the disputes through mediation.

2.The following agreed order is, thus, passed:

1. The parties will endeavour to resolve the disputes through mediation, for which the matter is referred to the Tamil Nadu Mediation and Conciliation Centre, Madras High Court Buildings. The parties will appear before the Centre on 20.02.2017 at 2.15 p.m. The Mediator will endeavour to resolve the disputes within a period of two (2) months from the said date or any extended period as may be granted by this Court.
2. If the mediation process succeeds, well and good, otherwise the disputes shall stand referred to the sole arbitration of **Mr.Suhirth Parthasarathy, Advocate**, having office at No.39, Law Chambers, High Court, Chennai, who will enter upon reference and adjudicate the disputes inter se the parties. The arbitration proceedings would naturally commence only if the mediation process does not succeed. In such eventuality, 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 framed thereunder. In case of non-availability of the Madras High Court Arbitration Centre, the case may be held at Nani Palkhivala Arbitration Centre at No.22, Karpagambal Nagar, Mylapore, Chennai-600 004.

Original petition is, accordingly, disposed of, leaving the parties to bear their own costs.

(S.K.K., CJ.)
10.02.2017

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.

The Hon'ble Chief Justice

(sra)

O.P.No.804 of 2016

10.02.2017
<http://www.judis.nic.in>