

In the High Court of Judicature at Madras

Dated : 24.03.2017

Coram :

The Hon'ble Mr.Huluvadi G.Ramesh, Acting Chief Justice

O.P.No.865 of 2016

Sekhar Deepak Constructions Ltd.,
rep. by its Managing Director,
No.242, Peters Road, 2nd Floor,
Gopalpuram,
Chennai – 600 086.

.. Petitioner

-VS-

1.The Chief Engineer,
TWAD Board, Southern Region,
Melur Road, Ganesh Nagar,
Madurai – 625 007.

2.The Superintending Engineer,
TWAD Board, Sewerage Circle,
Melur Road, Ganesh Nagar,
Madurai – 625 007.

3.The Executive Engineer,
TWAD Board, Sewerage Division,
Ramanathapuram.

.. Respondents

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint an Arbitrator to resolve the disputes between the petitioner and the respondents in respect of the Agreement CER/SR/MDU/28/2008-2009 dated 26.2.2009.

For Petitioner : Mr.M.K.Kabir
Senior Counsel
for Mr.T.Jayaraman

For Respondents : Mr.K.Venkataramani
Addl. Advocate General
assisted by
Mr.R.Ganesh Babu

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ORDER

This petition has been filed by the petitioner seeking to appoint a Sole Arbitrator to adjudicate upon the disputes arisen between the petitioner and the respondents.

2. When the matter is taken up for final hearing, the learned counsel for parties jointly agreed that Mr.Justice N.V.Balasubramanian, a retired Judge of this Court may be appointed as the Sole Arbitrator. The learned counsel for parties also state that the arbitration be held under the aegis of Madras High Court Arbitration and Conciliation Centre.

3. I, thus, appoint Mr.Justice N.V.Balasubramanian, a retired Judge of this Court, as the Sole Arbitrator, to enter upon the reference and adjudicate the disputes *inter se* the parties. 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. 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. The appearance of parties before the Madras High Court Arbitration Centre is fixed on 28.04.2017 at 10.30 A.M. The Madras High Court Arbitration Centre is directed to intimate the date of commencement of proceedings to the respondent.

4. The Original Petition is accordingly allowed, leaving the parties to bear their own costs.

(H.G.R., ACJ.)
24.03.2017

Index : Yes/No
Internet : Yes/No
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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 Acting Chief Justice

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