



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

THURSDAY, THE 02nd DAY OF AUGUST 2018

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.P. No.54 of 2017

In the matter of Indian
Arbitration and Conciliation
Act, 1996

and

In the matter relating to
the award dated 15.04.2015
between R.Anandan & 2 others
and M/s.Sundaram Finance
Ltd.,

1. Mr.R.Anandan,
S/o.Mr.Ramachandran,
2. Mr.Ramachandran,
S/o.Mr.Ranganathan,
3. Mrs.A.Padmapriya,
W/o.Mr.Anandan,
1 to 3 are at D. No.413, Ward-1,
Chinnaru Village, Eraiyur,
Perambalur District-621 133.

... Petitioners

-Versus-

1. M/s.Sundaram Finance Ltd.,
No.21, Pattulos Road,
Chennai-600 002.
2. Mr.S.Santhanakrishnan,
The Sole Arbitrator,
(Retired District Judge),
Old No.5, New No.11/2,
First Main Road, Jothi Nagar,
Ekkattuthangal, Chennai-600 032.

... Respondents

Original Petition praying that this Hon'ble Court be
pleased to set aside the award dated 15.04.2015, passed by
the Sole Arbitrator in the matter of disputes between the
1st respondent and the petitioners in respect of loan
agreement dated 16.07.2013 bearing Loan contract
No.I018500409.



WEB COPY

This Original Petition coming on this day before this court for hearing in the presence of Ms.K.P.Praweena for M/s.Sathia Chandran, D.Ashok Kumar and R.Gobika, advocates for the petitioners herein and Mr.S.Suresh for M/s.M.S.Sampath, advocates for the respondent herein and upon reading the petition and the award dated 15.04.2015 filed herein, and this Court observing that Exhibits A1 to A24 were marked on the side of the 1st respondent and no documents were filed on the side of the petitioners and the Arbitrator has considered each and every document filed by the 1st respondent which are marked as exhibits and only thereafter has passed the award in favour of the respondent and it is clear that there is no merit in the instant petition and the scope of Section 34 of the Arbitration and Conciliation Act is very limited, unless and until the findings of the Arbitrator are perverse, illogical and irrational and patently illegal, this Court cannot interfere under Section 34 of the Arbitration and Conciliation Act, it is ordered as follows:-

That the O.P. No.54 of 2017 be and is hereby dismissed.

2. That there shall be no costs.

WITNESS THE HON'BLE MS.INDIRA BANERJEE, THE CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 02nd DAY OF AUGUST 2018.

Sd./-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2018.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.



WEB COPY

KLY

19.09.2018

3

O.P. No.54 of 2017

ORDER:

DATED: 02.08.2018

THE HON'BLE MR.JUSTICE
ABDUL QUDDHOSE

FOR APPROVAL:16/10/2018

APPROVED ON:16/10/2018