

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.01.2018

CORAM

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

O.P. Nos.983 and 984 of 2017

IMG Reliance Limited,
Rep.by its Authorized Signatories,
3rd Floor, Court House,
Lokmanya Tilak Marg,
Dhobi Talao,
Mumbai – 400 002.

.. Petitioner

-VS-

Tamil Nadu Tennis Association,
SDAT Tennis Stadium,
Lake Area,
Nungambakkam,
Chennai – 660 034.

.. Respondent

Prayer: Petition filed under Section 11(5) of the Arbitration & Conciliation Act, 1996 to appoint a sole arbitrator as provided under clause 11(f) of the agreement to adjudicate upon the differences and disputes between the parties under the agreement dated 01.10.2013 and 17.02.2016.

For Petitioner : Mr.Rahul Balaji

For Respondent : Mr.Prasad Vijayakumar

COMMON ORDER

These original petitions are filed seeking appointment of an Arbitrator in terms of Clause 11(f) of agreements dated 01.10.2013 and 17.02.2016.

2. Both Agreements provide for the resolution of disputes inter se the parties under Clause 11(f), extracted below:

'Any dispute or difference of question arising out of, or under, or in relation to this Agreement between the parties shall be attempted to be settled by amicable negotiations, failing which, the parties shall refer the same to arbitration to be conducted in accordance with the Arbitration and Conciliation Act, 1996 or its enactment or successor Ordinance or Act. The venue of such arbitration shall be Chennai, India and the arbitration shall be conducted in the English language'

3. Heard Mr. Rahul Balaji, learned counsel for the petitioner and Mr. Prasad Vijayakumar, learned counsel for the respondent who concur on the existence of disputes to be resolved by recourse to clause 11(f). Learned counsel suggest and agree that Mr. Justice Doraisamy Raju, Retired Judge, Supreme Court may be appointed as Sole Arbitrator.

4. I, thus, appoint Mr. Justice Doraisamy Raju, Retired Judge, Supreme Court as Sole Arbitrator to enter upon reference and adjudicate the disputes inter se the parties. The learned Arbitrator

may, after issuing notice to the parties and upon hearing them, pass an award as expeditiously as possible, preferably within a period of six months from the date of receipt of the order. The learned Arbitrator is at liberty to fix his remuneration and other incidental expenses.

5.The Original Petitions are, accordingly, allowed, leaving the parties to bear their own costs.

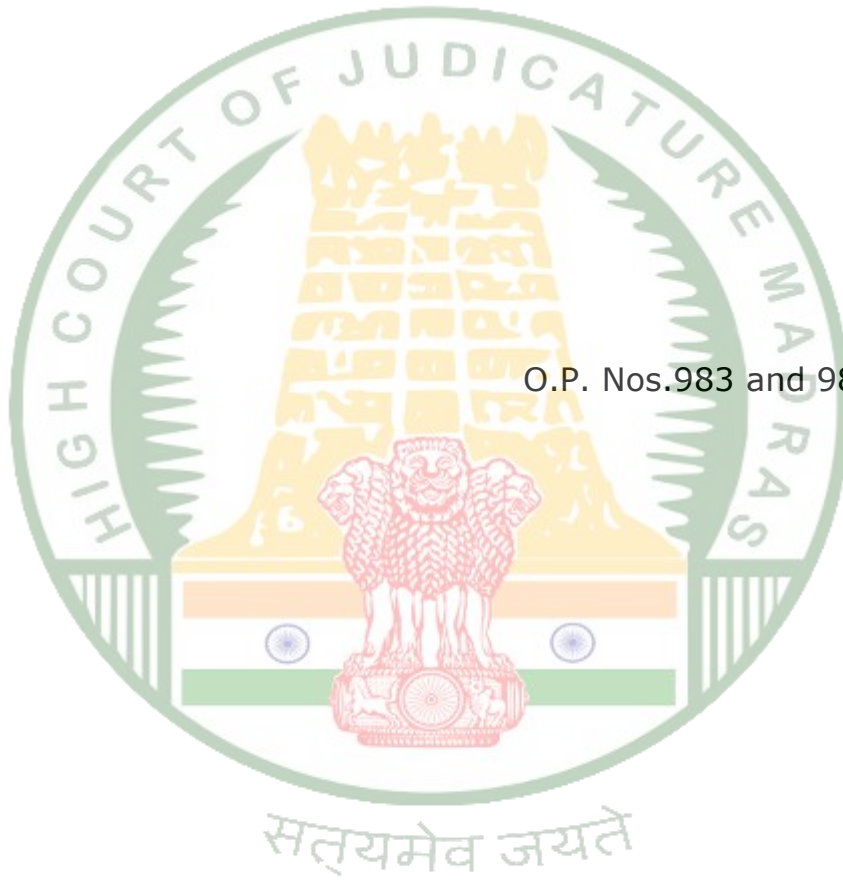
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Dr.Anita Sumanth,J.
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