

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2018

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

O.P. NO.979 OF 2018

Veeramani Sundararaj

.. Petitioner

-VS-

Saravanan @ Saravana Kumar

.. Respondent

PRAYER: Petition filed under Section 11 (6) of the Arbitration & Conciliation Act, 1996, praying to appoint Arbitrator(s) of the Hon'ble Lordship's choice to adjudicate upon the claims of the petitioner and the disputes between the parties.

For Petitioner : M/s.Aditi Ashok

For Respondent : No Appearance

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ORDER

This Original Petition is filed by the petitioner seeking to appoint Arbitrator to adjudicate upon the claims of the petitioner and the disputes between the parties.

2. The applicant and respondent have entered into lease deed. It appears that there was a fire accident due to bursting of gas cylinder. The applicant claimed damages from the respondent which was objected by the respondent. There were exchange of legal notices. The applicant invoked arbitration clause by issuing Arbitration notice on 14.03.2018, which was returned as “refused”. Thereafter, the applicant preferred the above application under section 11 (6) of the Arbitration and Conciliation Act, 1996. This Court issued notice to the respondent, and the same has been returned as “refused”. Despite printing of respondent's name in the cause list, none appears.

3. Clause 10 (2) of the agreement reveals the arbitration clause to resolve the dispute between the parties by appointing an Arbitrator and the seat of arbitration at Chennai.

4. Considering the facts and circumstances of this case, I appoint **Mr. Paranjothi, Retired District Judge, No.6, Ram Colony, West Mambalam, Chennai 600033, Mobile:9444128002** as the Sole Arbitrator to enter upon the

reference and after issuing notice to the parties and upon hearing them, pass an award as expeditiously as possible within a period of six months from the date of receipt of the order. The learned Arbitrator is at liberty to fix his remuneration as well as schedule of expenses which shall be borne by both parties equally. The proceedings may be conducted under the aegis of the Madras High Court Arbitration Centre and in accordance with the Madras High Court Arbitration Rules.

4. This Original Petition is ordered accordingly. No costs.

17.12.2018

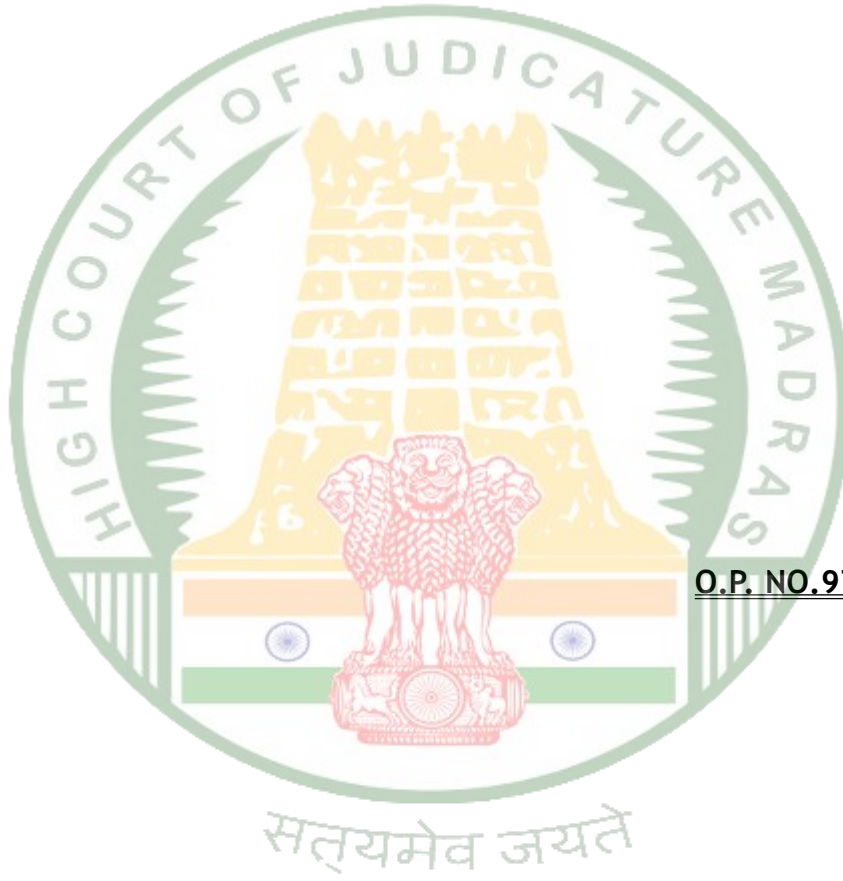
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M.GOVINDARAJ, J.

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