

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2019

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 11007 of 2019
and
W.M.P. No. 11434 of 2019

The Administrator,
Isha Yoga Centre,
velliangiri, Coimbatore - 641 114.

... Petitioner

Vs.

1. The Principal General Manager,
BSNL Telecom Building,
Office of the Principal General Manager,
No.2, Bharati Park Road - 2,
Coimbatore - 641 043.
2. The General Manager,
Network Operations,
BSNL Telephone Exchange,
Saibaba Colony, Coimbatore - 641 011.
3. The Chief Accounts Officer,
Office of the Principal General Manager,
No.2, Bharati Park Road - 2,
Coimbatore - 641 043.
4. The Divisional Engineer,
BSNL, Telephone Exchange,
Kurirchi, Coimbatore - 641 021.
5. The Chief General Manager,
Tamilnadu Circle,
Greens Road, Chennai - 600 008.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the Respondents from claiming or demanding the sum of Rs. 2,30,29,264/- by bill dated 02.02.2019 and Rs.20,18,198/- by bill dated 02.01.2019 in respect GSM PRI Account No.505493328.

For Petitioner : Mr. M. Suresh

For Respondents : Mr. S. Udhayakumar (For R1-R5)

O R D E R

Learned Counsel appearing for both sides submit that the dispute between the parties, which is the subject matter of this Writ Petition, may be referred to arbitration and in this regard, both parties suggest that Hon'ble Mr. Justice.E.Padmanabhan, Former Judge of this Court may be appointed as the Sole Arbitrator and separate memo has been filed by both parties to that effect.

2. Recording the same, Hon'ble Mr. Justice. E. Padmanabhan, Former Judge of this Court, is appointed as the Sole Arbitrator to resolve the disputes between the parties by entering upon the reference. The arbitral proceedings shall be governed by the relevant provisions of the Arbitration and Conciliation Act, 1996 including the fees of the Arbitrator and the time limit for completion of arbitral proceedings.

3. Accordingly, this Writ Petition is disposed on the aforesaid terms. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(Insp cell)

//True Copy//

Sub Assistant Registrar

arb/maya
To

1. The Principal General Manager,
BSNL Telecom Building,
Office of the Principal General Manager,
No.2, Bharati Park Road - 2,
Coimbatore - 641 043.
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5. The Chief General Manager,
Tamilnadu Circle,
Greens Road, Chennai - 600 008.

Copy to

Hon'ble Mr. Justice. E. Padmanabhan,
Former Judge, Madras High Court,
No. 11, Madha Church Street,
Mandavelipakkam,
Chennai - 600 028.

+1cc to M/S.Norton & Grant, Advocate SR.88465
+1cc to Mr. S. Udhayakumar, Advocate SR.88839

W.P. No. 11007 of 2019

RSV(CO)
CB(06/11/2019)