

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2019

CORAM:

THE HON'BLE Mr. JUSTICE R.PONGIAPPAN

Civil Revision Petition (NPD) No.2897 of 2014 and
M.P.No.1 of 2014

R.Narayanan

Petitioner

Vs

1. M/s.Shriram Transport Finance Co.Ltd.,
Moogambika Complex
3rd Floor, Lady Desika Road
Mylapore, Chennai
by Power of Attorney
K.Mohamed Sariff

2. S.Sivakumar

Respondents

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India to pass an order allowing the revision petition and reversing the award dated 29.03.2014 passed in ARC.No.314 of 2013, by the Arbitrator.

For Petitioner : Mr.D.Baskar

For Respondents : R1 – No appearance
R2 – Not ready in Notice

ORDER

The Civil Revision Petition has been preferred with a prayer to pass an order allowing the revision petition and reversing the award dated 29.03.2014 passed in ARC.No.314 of 2013, by the Arbitrator.

2. Heard. Documents perused.

3. Challenging the award passed in Arbitration Case 314 of 2013, the petitioner, who is the first respondent in the above referred Arbitration case has filed this Civil Revision Petition and seeks the relief to set aside the award passed by the Arbitrator in the said case.

4. Though notice sent to the respondents were not served with them, complying the provisions of Arbitration and Conciliation Act 1996, I am of the opinion that this Civil Revision Petition is not maintainable. Only under Section 34 of Arbitration and Conciliation Act 1996, the award passed by the Arbitrator can be set aside. Further, the said application has to be filed only before the District Judge, who is having the jurisdiction over the area, in which the occurrence had happened. But, instead of adopting such mode, the petitioner has filed this Civil Revision petition before this Court, for the relief stated supra.

5. In view of the above discussions, this Civil Revision petition is dismissed. No costs. Consequently, connected Miscellaneous petition is closed.

vrn

17.10.2019

R.PONGIAPPAN, J.,

vrn



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