

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18/12/2019

C O R A M:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

C.M.A. No.4361 of 2019 and  
C.M.P. No.24848 of 2019

KJR Studios Pvt. Ltd.  
having office at No.5  
4th Floor, Rapid Skyline Apartment  
8/14, Sri Krishnapuram Street  
Royapettah, Chennai - 600 014

Appellant

Vs.

1.TSR Film Private Limited  
Rep. by its Director  
Mr.Cleatus Fredrick Henry  
HM Enclave, 2nd Floor  
61 A, Thiruvalluvar Nagar  
Ramanathapuram  
Coimbatore - 641 045

2.24 AM Studios Pvt. Ltd.  
No.37/11, Diamond Gate  
Habibullah Road  
T.Nagar, Chennai - 600 017

3.RD Raja

4.D.Prabhu

5.D.Jaya Devi

...

Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 37(2) of the Arbitration and Conciliation Act, 1996, to set aside the order dated 8.11.2019 in I.A. No.1 of 2019 in A.F. No.213 of 2019 passed by the Sole Arbitrator.

For Appellant : Mr.S.Karthikei Balan

For Respondents: Dhanaram Ramachandran

## JUDGMENT

Instant civil miscellaneous appeal is filed against the order of the Sole Arbitrator dated 8.11.2019 made in I.A. No.1 of 2019 in A.F. No.213 of 2019.

2. When the matter is taken up for hearing, Mr.Karthikei Balan, learned counsel appearing for the appellant, would represent that the appellant was not a party to the arbitration proceedings and there is something fishy in the entire issue and that one person who has assumed the office of Arbitrator, misused the name of the High Court and arm twisted the issue to a person to settle the matter.

3. This court does not want to deal with those issues as Mr.Dhanaram Ramachandran, learned counsel appearing for the respondents, has produced a letter stating that the amount due, will be paid in three installments and that the first installment has been disbursed before 15.12.2019 and that the second instalment is due before May 2020 and that the final installment time would commence after the payment of the second installment. The cause title before the Arbitration proceedings shows that the appellant is the 5th respondent therein.

4. This court, cannot go into the veracity of the statement made by Mr.Karthikei Balan. But, however, this court is not rejecting the averments, as the same has got to be adjudicated and truth has got to be ascertained, if any complaint or any proceedings is initiated against Mr.M.Ganesan, Sole Arbitrator. Leaving open that issue, the Civil Miscellaneous Appeal is closed, as the first respondent has submitted that he has agreed to accept the amount in installments, as stated supra.

5. Accordingly, the civil miscellaneous appeal is closed. However, there shall be no order as to cost. Consequently, the connected civil miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

Asr

+1cc to Mr.S.Karthikei Balan, Advocate SR.105893

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VSNII (CO)  
CB(03/02/2020)