

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2020

C O R A M

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

O.P. Nos. 205 & 206 of 2020

M/s.TICEL BIO PARK LTD.,
rep. by its Managing Director,
Mr.R.Karthikeyan,
Taramani Road, Taramani,
Chennai-600 113.

... Petitioner in
both O.P.s

Vs

M/s. Baba Clinical and Genomic Research
Centre,
having its registered office at
6, 'Mary land',
Jain College Staff Colony,
Nanganallur, Chennai-600 061.

having lab and office at
TICEL Bio Park – Phase II,
No.5, CSIR Road, Taramani
Chennai-600 113.

... Respondent in
O.P. No.205/2020

M/s. Sai Baba Diagnostics
having its registered office at
6, 'Mary land',
Jain College Staff Colony,
Nanganallur, Chennai-600 061.

... Respondent in
O.P. No.206/2020

COMMON PRAYER : Original Petitions filed under Section 11(6)(a) of the Arbitration and Conciliation Act, 1996, praying to appoint an arbitrator under Section 11 (6)(a) of the Arbitration and Conciliation Act, 1996.

For Petitioner in
both O.P.s : Ms.Lily Francis for
M/s.King & Patridge

For Respondent in
both O.P.s : Mr.R.S.Raveendran

ORDER

These two Original Petitions have been filed for appointment of independent arbitrator in respect of the dispute arose between the parties based on the two independent contracts viz., lease deeds dated 01.10.2014 and 03.08.2014 respectively.

2. In both the contracts, the parties are governed by arbitration clause. Both the parties have agreed that if any dispute arose between the parties with regard to the lease deeds and all connected and related matters, whatsoever, shall be discussed and settled amicably. In the event of any compromise or settlement of all disputes, the same shall be referred to arbitration. The proceedings have to be conducted in English at Chennai.

3. The learned counsel appearing for the respondent would submit that without prejudice to his rights and without admitting the allegations, he has consented to appoint the Arbitrator. Memo also filed.

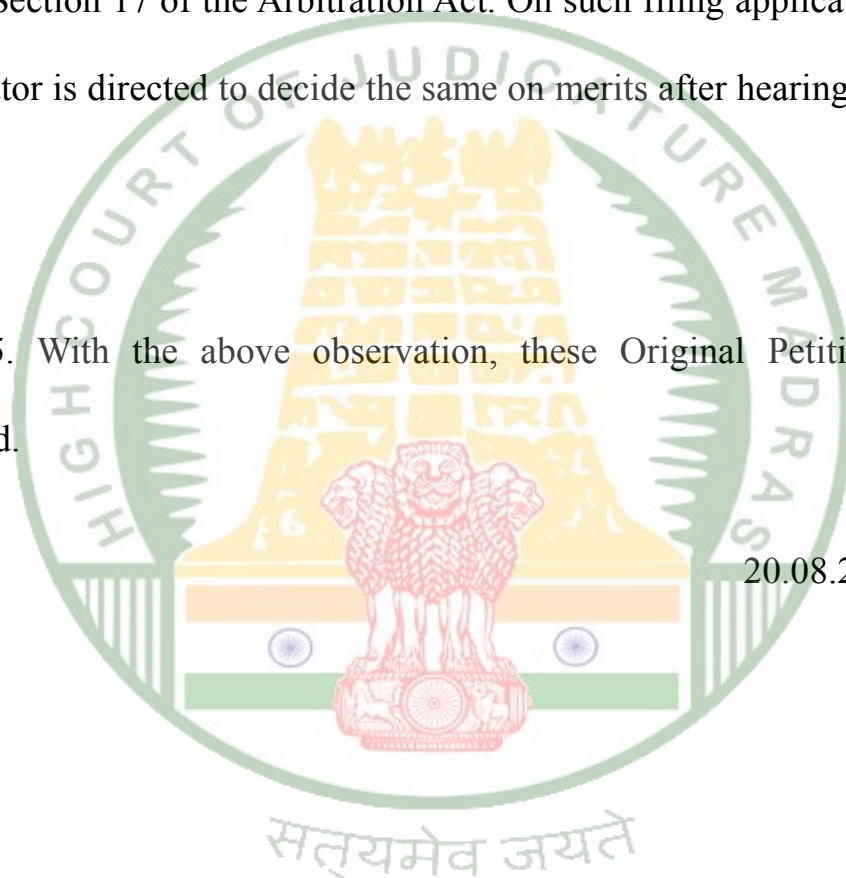
4. As both sides have no objection for referring the matter for arbitration and taking note of the nature of contract and the dispute arose between the parties, this Court has nominated Mr.V.Lakshminarayanan, Advocate as an Arbitrator. It is very well

open to both parties to place their disputes before the Arbitrator. As the Arbitrator has been appointed by this Court in these Original Petitions, the petitioner can move appropriate application before the Arbitrator under Section 17 of the Arbitration Act. On such filing application, the Arbitrator is directed to decide the same on merits after hearing of both sides.

5. With the above observation, these Original Petitions are allowed.

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N.SATHISH KUMAR,J

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