

O.A.No.46 of 2021

P.T.ASHA, J.,

A memo has been filed by the applicant stating that as per the conditional orders passed by this Court, he has paid a sum of Rs.12,94,769.28p towards the lease rental and other agreed charges. The learned counsel for the respondent has admitted the same.

2.The learned counsels appearing on either side has agreed to refer the dispute to the Arbitrator. The parties have entered into two agreements, namely, Common Area Maintenance Agreement and Leave and License Agreement dated 03.11.2016 which contains separate arbitration clause.

3.Considering the above, Mr.S.Vasudevan, Advocate, is appointed as an Arbitrator to resolve the disputes arising out of each of the Agreements.

4. Accordingly, it is ordered as follows:

i) Mr.S.Vasudevan, Advocate, residing at Mangala Jyothi 4th Trust Cross Street, Mandavelipakkam, Chennai – 600 028, Contact No.9884289896, is appointed as the Arbitrator to enter upon reference and adjudicate the disputes *inter se* the parties.

ii) The learned Arbitrator may, after issuing notice to the parties and upon hearing them, pass an award as expeditiously as possible, preferably within a period of six months from the date of receipt of the order. It is open to the respondent to raise all legal objections as to the validity of contract.

iii) The learned Arbitrator is at liberty to fix his remuneration and other incidental expenses as per law.

iv) 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.

5.The learned counsel for the applicant would submit that he would advise his client to pay the lease rental and other agreed charges till the Award passed.

The Original Application is, accordingly, allowed, leaving the parties to bear their own costs.

16.03.2021

mps

To

Thiru.S.Vasudevan,
Advocate,
Mangala Jyothi 4th Trust Cross Street,
Mandavelipakkam,
Chennai – 600 028.

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