

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16/6/2021

C O R A M

**THE HONOURABLE Mr.JUSTICE N.SATHISH KUMAR**

Original Petition No.108 of 2021

K.Kandasamy

...

Petitioner

Vs

1. K. Sulochana

2. K.Ramkumar

3. K. Ramalingam

4. K. Shanthi

...

Respondents

Petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996, to appoint a sole Arbitrator, to appoint a sole arbitrator to adjudicate on the dispute that has arisen between the petitioner on the one hand and the respondents on the other hand on account of non-payment of the dues of the petitioner, as stated in the notice of arbitration dated 19/12/2019.

|                 |     |                                                                     |
|-----------------|-----|---------------------------------------------------------------------|
| For petitioner  | ... | Mr.S.Raghavan                                                       |
| For respondents | ... | Mr.P.Muthusamy<br>for R.R.1 to 3.<br>Mr.P.M.Subramaniam<br>for R.4. |

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**ORDER**

This Original Petition has been filed to appoint a sole Arbitrator, to appoint a sole arbitrator to adjudicate on the dispute that has arisen between the petitioner on the one hand and the respondents on the other hand on account of non-payment of the dues of the petitioner, as stated in the notice of arbitration dated 19/12/2019.

2. On an earlier occasion, with the consent of both parties, vide, order, dated 21/9/2020, in O.P.No.1010 of 2019, this Court had appointed Mr.M.K.Kabir, learned Senior Advocate as Arbitrator to enter upon the reference and adjudicate the disputes inter se the parties.

3. Today, when the matter was taken up for hearing through Video Conferencing, learned counsel appearing for the fourth respondent submits that the the petitioner has not challenged the cancellation of Joint Development Agreement done by a third party, even as early as on 2016,

but has come up with the present Original Petition. However, in order to settle the dispute amicably between the parties, by consent, the following order is passed.

(i). Mr.M.K.Kabir, Senior Advocate, ® APT, C, Sree Illam, AJ 124, I Floor, Off 9<sup>th</sup> Main Road, Anna Nagar, Chennai 600 040 (Mobile Nos.9840044258, 9840186506) be and is hereby appointed as Arbitrator to enter upon the reference and adjudicate the disputes inter se the parties, who shall take up the reference for Arbitration at the earliest.

(ii). The learned Arbitrator, after issuing notice to the parties and upon hearing them, shall pass an award as expeditiously as possible, preferably within a period of six months from the date of receipt of the order.

(iii). The learned Arbitrator herein is at liberty to fix his remuneration and other incidental expenses, which shall be borne by the parties equally.

**N.SATHISH KUMAR,J**

mvs.

4. This Original Petition is ordered accordingly, leaving the parties to bear their own costs.

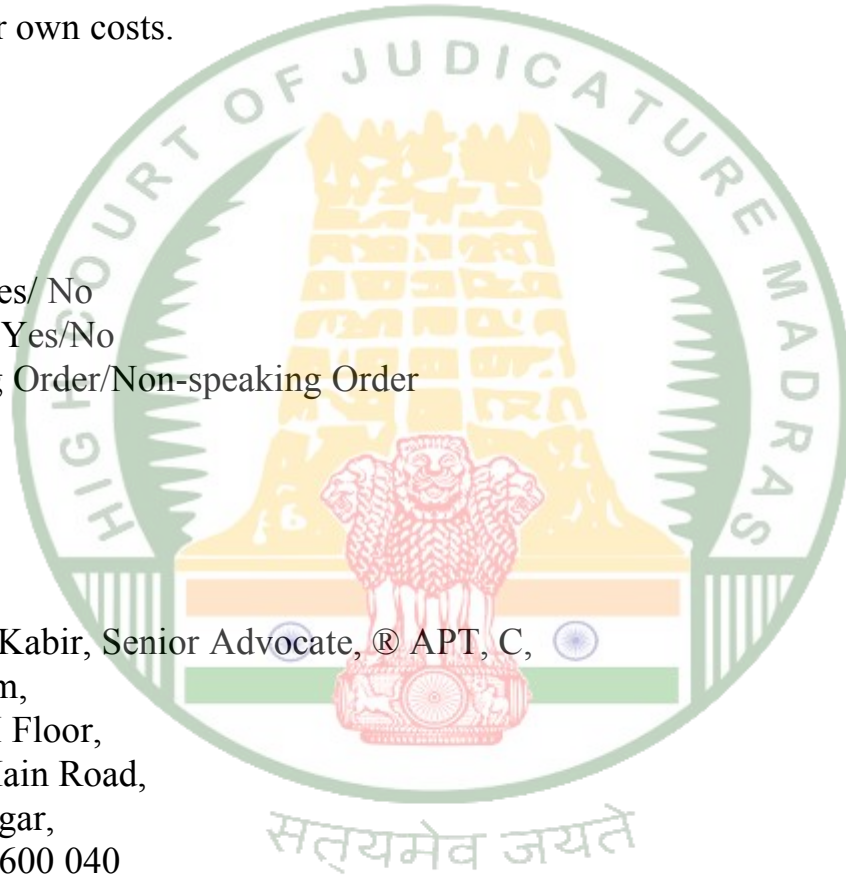
16/6/2021

Index: Yes/ No  
Internet: Yes/No  
Speaking Order/Non-speaking Order

mvs.

To

Mr.M.K.Kabir, Senior Advocate, ® APT, C,  
Sree Illam,  
AJ 124, I Floor,  
Off 9<sup>th</sup> Main Road,  
Anna Nagar,  
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O.P.No.108 of 2021