



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 03RD DAY OF SEPTEMBER 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

Arb.O.P. (Com.Div) No.58 of 2021

In the matter of the Arbitration and
Conciliation Act, 1996

And

In the matter of Application for
appointment of Arbitrator to
adjudicate the disputes between M/s.
Nephrocare Health Services Private
Limited and M/s. Sooriya Hospital in
respect of the Agreement dated 10th
July 2017

M/s.Nephrocare Health Services Private Limited
Rep by Power of Attorney
Mr.S.Thangadurai
Having registered office at
Plot No. 83 and 84, Road No.2,
Park View Enclave, Banjara Hills,
Hyderabad, Telengana - 500 034.

... Petitioner

-- Vs --

M/s. Sooriya Hospital,
Rep. by its Partner, Dr.C.P.Sreekumar,
Having its registered office at
No.1, Arunachalam Road,
Saligramam,
Chennai - 600 093.
Tamilnadu

... Respondent



Original Petition praying that this Hon'ble Court be pleased to appoint an arbitrator to adjudicate the disputes between the petitioner and the respondent in terms of the arbitration agreement dated 10th July 2017

(b) to direct the respondent to pay costs

This Original Petition coming on this day before this court for hearing in the presence of Mr.G.R.Hari advocate for the Petitioner herein and Mr.R.Chithiraputhiran advocate for the Respondent herein and upon reading the Petitioner and for the Affidavit of Thangadurai filed herein and, counter affidavit of C.P.Sree Kumar filed herein,

it is ordered as follows:-

That Mr.J.Krishnamoorthy, (Retd). District Judge, residing at B-2/D, Nutechkrishna, New D.No.37, Old D.No.15, Soundararajan Street, T.Nagar, Chennai – 600 017 (Mobile No.94420 92363) E-mail ID:jkrishnamoorthy88@yahoo.com be and is hereby appointed as the Arbitrator to enter upon reference and adjudicate the disputes inter se the parties.

2) That the learned Arbitrator appointed herein, shall 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



3) That the learned Sole Arbitrator appointed herein shall be paid fees and other incidental charges, fixed by him and the same shall be borne by the parties equally.

4) That both parties hereto shall bear their own costs.

WITNESS THE HON'BLE MR. JUSTICE SANJIB BANERJEE,
CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE
03RD DAY OF SEPTEMBER 2021.

Sd/-
ASSISTANT REGISTRAR (Comm Cases)

//Certified to be true copy//
Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)
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of the Orders/Judgments/Decrees in this format.



ED

30.09.2021

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Arb O.P.(Com.Div) No.58 of 2021

ORDER

DATED: 03.09.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 01.10.2021

APPROVED ON : 04.10.2021

Copy to:

Mr.J.Krishnamoorthy (Retd.)
District Judge,
Arbitrator,
B-2/D, Nutechkrishna,
New D.No.37, Old D.No.15,
Soundararajan Street,
T.Nagar, Chennai – 600 017.
(Mobile No.9442092363)
E-mail ID:
jkrishnamoorthy88@yahoo.com



WEB COPY

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 03.09.2021

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Arb O.P.(Com.Div.) No.58 of 2021

M/s.Nephrocare Health Services Private Limited
represented by Power of Attorney
Mr.S.Thangadurai
having registered office at
Plot Nos. 83 and 84, Road No.2,
Park View Enclave, Banjara Hills,
Hyderabad, Telengana-500 034.

... Petitioner

Vs.

M/s. Sooriya Hospital,
rep. by its Partner Dr.C.P.Sreekumar,
having its registered office at
No.1, Arunachalam Road,
Saligramam, Chennai-600 093.

... Respondent

Prayer: Original Petition is filed under Section 11 of the Arbitration and Conciliation Act, 1996, praying to pass an order appointing an arbitrator to adjudicate the disputes between the petitioner and the respondent in terms of the arbitration agreement dated 10th July 2017.

For Petitioner : Mr.G.R.Hari

For Respondent : Mr.R.Chithiraputhiran



5. In such view of the matter, 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, it is ordered as follows :-

i) Mr. J.KRISHNAMOORTHY, District Judge (Retired), residing at B-2/D, Nutechkrishna, New D.No.37, Old D.No.15, Soundararajan Street, T.Nagar, Chennai - 600 017, Contact No.94420 92363 E-mail ID : jkrishnamoorthy88@yahoo.com is appointed as the Arbitrator to enter upon reference and adjudicate the disputes *inter se* the parties.

ii] That the learned Arbitrator appointed herein, shall 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.

iii] That the learned Sole Arbitrator appointed herein shall be paid fees and other incidental charges, fixed by him and the same shall be borne by the parties equally.



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

Sd./-N.S.K.J.,
03.09.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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