



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

FRIDAY, THE 2ND DAY OF JULY, 2021

THE HON'BLE MR. JUSTICE N. SATHISH KUMAR

O.P. No.532 of 2015

In the matter of Arbitration and
Conciliation Act 1996

and

In the matter of dispute is between
M/s. Shriram City Union Finance Ltd.,
and K. Marriappan, M.Amutha,
R. Ashokkumar, P. Muniyandi,
P. Ramar, N. Saravanan in respect of
Trade Finance Agreement
No. ADYA2TF09220002 dated
22-09-2011.

R. Ashokkumar,
Son of Ramachandran
Old No. 25, New No. 48, Periyar Salai,
Teynampet, Chennai - 600 018.

..Petitioner

Vs.

1. M/s. Shriram City Union Finance Ltd
Represented by its Authorized
Representative having their Office at
No.6, L.B. Road, Sorrento Building, IInd Floor
Adyar, Chennai - 600 020.

2. K. Mariappan,
Son of Krishnaswamy
36/1, Adanjan Mudali Street,
Ramakrishnanagar - 600 028.

3. M. Amutha
Wife of K. Mariappan



36/1, Adanjan Mudali Street,
Ramakrishnanagar,
Chennai - 600 028.

4. P. Muniandi
Son of Palani
12/82, Sivagami Nagar,
1st Street, Kamaraja Nagar,
Ponneri.

5. P. Ramar,
Son of S. Pichandi
Plot No. 5D, D.No.51,
Kannabiran Koil Street,
Pallikaranai, Chennai - 600 100.

6. N. Saravanan
Son of Namasivayam
Plot No. 15A, Ground Floor,
Sivagamipuram, 19th Cross Street,
Pallikaranai, Chennai - 600 100.

..Respondents

7. C.A. Ravichandran Advocate,
Sole Arbitrator,
No. 90, Peters road, 1st Floor,
New College Shopping Complex,
Royapettah, Chennai - 600 014.

..Respondent / Sole Arbitrator

Original Petition praying that this Hon'ble Court be pleased to set aside the Arbitral Award dated 04-08-2014 made in the aforesaid arbitration case bearing ACP(EF/CAR) 302 of 2013 by the Arbitral Tribunal comprising of the Sole Arbitrator C.A. Ravichandiran Advocate.

This Original Petition coming on this day before this court for hearing



herein and Mr. K.V. AnanthaKrushnan, Advocate for the 1st respondent and Mr. K. Senthil, Advocate for the respondents 2 & 3 herein and upon reading the petition and the award dated 04-08-2014 filed herein and the affidavit of S. Dhandapani filed herein and the paragraph 6 of the affidavit filed by the first respondent specifically avers that they are not going to execute the award as against the present petitioner, in such view of the matter, the petitioner seeks to withdraw the main original petition, and this court doth recording the same, it is ordered as follows:-

That the Original Petition No. 532 of 2015, be and is hereby dismissed as withdrawn.

2) That it is also made clear that execution proceedings initiated against the present petitioner by the respondents, if any, shall also be withdrawn by the first respondent.

3) That there shall be no costs of this petition.

WITNESS THE HON'BLE JUSTICE MR. SANJIB BANERJEE, THE CHIEF JUSTICE, HIGH COURT AT MADRAS AFORESAID, THIS THE 2ND DAY OF JULY, 2021.

Sd./-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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VF-13.07.2021

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O.P. No.532 of 2015

ORDER :-

DATED: 02.07.2021

THE HON'BLE MR. JUSTICE
N. SATHISH KUMAR

FOR APPROVAL: 26/07/2021

APPROVED ON: 27/07/2021



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 02.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

O.P.No.532 of 2015

R.Ashokkumar

. . . Petitioner

Versus

1.M/s.Shriram City Union Finance Ltd
Represented by its Authorized
Representative having their Office at
No.6, L.B.Road, Sorrento Building, IInd Floor,
Adyar, Chennai – 20.

2.K.Mariappan

3.M.Amutha

. . . Respondents

PRAYER : Petition filed under Section 34 of the Arbitration and Conciliation Act, 1996 to set aside the arbitral award dated 04.08.2014 made in the aforesaid arbitration case bearing ACP (EF/CAR) 302 of 2013 by the Arbitral Tribunal comprising of the Sole Arbitrator C.A.Ravichandiran Advocate.

For Petitioner : Mr.K.Venkateswaran

For Respondents : Mr.K.V.Ananthakrushnan for
R1
Mr.K.Senthil for R2 and R3.

ORDER

The petitioner has filed this original petition to set aside the arbitral award dated 04.08.2014 passed against him.



2. Mr. Ananthakrushnan, learned counsel appearing for the first respondent submitted that though the award is passed against the petitioner herein, the first respondent would not execute the award as against the petitioner. With regard to that they also filed an affidavit and the same is taken on record.

3. Paragraph 6 of the affidavit filed by the first respondent specifically avers that they are not going to execute the award as against the present petitioner.

4. In such view of the matter, the petitioner seeks to withdraw the main Original Petition. Recording the submission of the learned counsel for the petitioner, this original petition is dismissed as withdrawn. No costs.

5. It is also made clear that execution proceedings initiated against the present petitioner by the respondents, if any, shall also be withdrawn by the first respondent.

Sd./- N.D.K.J.,
02.07.2021

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

Court Officer(O.S.)
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