



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

TUESDAY, THE 5th DAY OF OCTOBER 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.P. No.54 of 2015

In the matter of Arbitration and
Conciliation Act, 1996

and

In the matter of dispute between
M/s.Bharati Infratel Ventures Ltd.,
and M.Kamalanathan and the Arbitral
Agreement dated 12.01.2006

Mr.M.Kamalanathan,
S/o.Mr.Muthuramalinga Nadar,
No.158, M.T.H.Road,
Villivakkam, Chennai-49.

... Petitioner

-Versus-

1. M/s.Bharati Infratel Ventures Ltd.,
(Previously Bharti Televentures Ltd., and
earlier Bharti Cellular Ltd.,)
No.5(NP), Espee IT Park, 5th Floor,
Jawaharlal Nehru Road, Ekkatuthangal,
Chennai-600 032
rep. by its Managing Director

2. Mr.V.Inbavijayan,
Sole Arbitrator,
CNICA, Basement, New No.64,
Mount Road, Guindy,
Chennai-600 032.

... Respondents



the second respondent as arbitrator in ACP No.(IT/VI) 2 of 2012 and consequently appoint a sole Arbitrator to hear and decide the disputes between the parties arising out of the Arbitral Agreement dated 12.01.2006.

This Original Petition coming on this day before this Court for hearing in the presence of Mr.S.Pugaleanthi, Advocate for the Petitioner herein and Mr.P.Elayaraj Kumar for M/s.Ramalingam Associates, advocates for the 1st respondent herein and upon reading the order herein dated 24.06.2021, and this court is of the view that Mr.P.V.Balasubramaniam, learned Arbitrator is expressing his difficulty in continuing as an Arbitrator in this matter, it is ordered as follows:-

That Mr.P.T.Ramkumar, having office at No.93, First Floor, SM Plaza, Armenian Street, Parrys, Chennai – 600 001, Mobile Nos.9444088885, 8870488885 be and is hereby appointed as a Sole Arbitrator to enter upon reference and adjudicate the matter.

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 of the Order.

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



4. That the Erstwhile Arbitrator is requested to return all the papers to

Mr.P.T.Ramkumar, Advocate appointed as a sole arbitrator herein

5. That the arbitration proceedings shall be commenced from the stage where left by the presiding Arbitrator and it should be completed within a period of six months.

6. 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
5th DAY OF OCTOBER 2021.

Sd/-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this day of 2021.

COURT OFFICER(O.S.)

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EVK

17/11/2021

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O.P. No.54 of 2015

ORDER

DATED: 05.10.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 18/11/2021

APPROVED ON : 19/11/2021

Copy to:

1. Mr.P.V.Balasubramaniam,
Advocate
No.47/1, Rams Surabi Apts,
I Main Road, R.A.Puram,
Chennai – 600 028.
Mobile No.9841041888

2. Mr.P.T.Ramkumar,
Advocate
No.93, First Floor, SM Plaza,
Armenian Street, Parrys,
Chennai – 600 001.
Mobile Nos.9444088885, 8870488885



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 05.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

O.P.No. 54 of 2015

M.Kamalanathan

. . . Petitioner

Versus

1.M/s.Bharati Infratel Ventures Ltd
(Previously Bharti Televentures Ltd and
Earlier Bharti Cellular Ltd)
No.5(NP), Espee IT Park, 5th Floor,
Jawaharlal Nehru Road, Ekkatuthangal,
Chennai- 600032 Rep by its Managing Director

2.Mr.V.Inbavijatan
Sole Arbitrator,
CNICA, Basement, New No.64, Mount Road,
Guindy, Chennai 600032.

. . . Respondents

PRAYER : Petition filed under Sections 14 and 15 of the Arbitration and Conciliation Act, 1996 to remove the second respondent as Arbitrator in ACP No.(IT/VI) 2 of 2012 and consequently appoint a Sole Arbitrator to hear and decide the disputes between the parties arising out of the Arbitral Agreement dated 12.01.2006.

For Petitioner : Mr.S.Pugaleanthi

For Respondents : Mr.P.Elayaraj Kumar for R1
for M/s.Ramalingam Associates

**ORDER**

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Today when the matter was taken up for hearing, the learned Arbitrator Mr.P.V.Balasubramaniam, (Mobile 9841041888) has filed a Memo dated 01.10.2021 stating that his erstwhile Junior has already appeared for one of the party in this case. Hence, he has expressed his difficulty in continuing as an Arbitrator in this matter.

2. In such view of the matter, Mr.P.T.Ramkumar, having office at No.93, First Floor, SM Plaza, Armenian Street, Parrys, Chennai – 600 001, Mobile Nos.9444088885, 8870488885 is appointed as a Sole Arbitrator to enter upon reference and adjudicate the matter.

3. 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.

4. 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.



5. Erstwhile Arbitrator is to return all the papers to

Mr.P.T.Ramkumar.

6. Arbitration proceedings shall be commenced from the stage where left by the presiding Arbitrator and it should be completed within a period of six months.

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

Sd./-N.S.K.J.
05/10/2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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