

**THE HIGH COURT OF JUDICATURE AT MADRAS**

Date 17.04.2021

CORAM:

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

**O.P.No.429 of 2020 &  
O.A.No.370 of 2020 &  
A.Nos.1859 & 1860 of 2020**

Samunnati Agro Solutions Pvt. Ltd.,  
Represented by its Senior Manager D.Vijayakarathi  
Baid Hi Tech Park, 8<sup>th</sup> Floor, No.129 B East Coast Road,  
Thiruvanmiyur, Chennai – 600 041.

... Petitioner

Versus

1. Mr.Prafulla Bhat
2. Mr.Chanakya Dhanda

... Respondents

**PRAYER :** Petition filed under Section 11(6) of Arbitration and Conciliation Act, 1996 to appoint an arbitrator to resolve the disputes arising out of the Personal Guarantee Deed dated 12.12.2018 between the petitioner and the respondents.

For petitioner : Mr.Nithyaesh Natraj  
for Mr.Vaibhav Rangarajan

For respondents : No appearance

## **ORDER**

This Original Petition has been filed to appoint an arbitrator to resolve the disputes arising out of the Personal Guarantee Deed dated 12.12.2018 between the petitioner and the respondents.

2. Despite notice served on the respondents, none appeared for the respondents.

3. Pursuant to the Personal Guarantee Deed dated 12.12.2018, as dispute arose between the parties, this application has been filed for reference to the arbitrator. The parties are governed by the Personal Guarantee Deed entered between the parties and Clause 4 of the Deed provides for reference to the arbitrator. The learned counsel appearing for the petitioner submitted that in a connected matter Honourable Justice Mr.M.Jaichandren, has been appointed as an Arbitrator and the same Arbitrator may be appointed to resolve the present dispute also.

The learned counsel for the petitioner further submitted that if the respondents are allowed to deal with the immovable and immovable properties described in the schedule, the claim of the petitioner will be defeated and hence prayed for extension of the interim Order already passed by this Court by a period of six months.

3. Considering the above facts and circumstances, it is ordered as follows:

i] that Mr.M.Jaichandren, Judge, [Retd.], High Court, Madras residing at D.No.422, South 2<sup>nd</sup> Main Road, Kapaleeswarar Nagar, Neelankarai, Chennai – 600 115 Mobile No.94443 90951 is appointed as an Arbitrator to enter upon reference and adjudicate the matter.

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 fees of the learned Arbitrator shall be fixed by the Arbitrator and the same shall be borne by the parties equally.

iv] The interim Order passed by this on 04.09.2020 is extended for further a period of six months from the date of receipt of a copy of this Order.

5. This Original Petition is ordered accordingly, leaving the parties to bear their own costs. Consequently, the connected applications are closed.

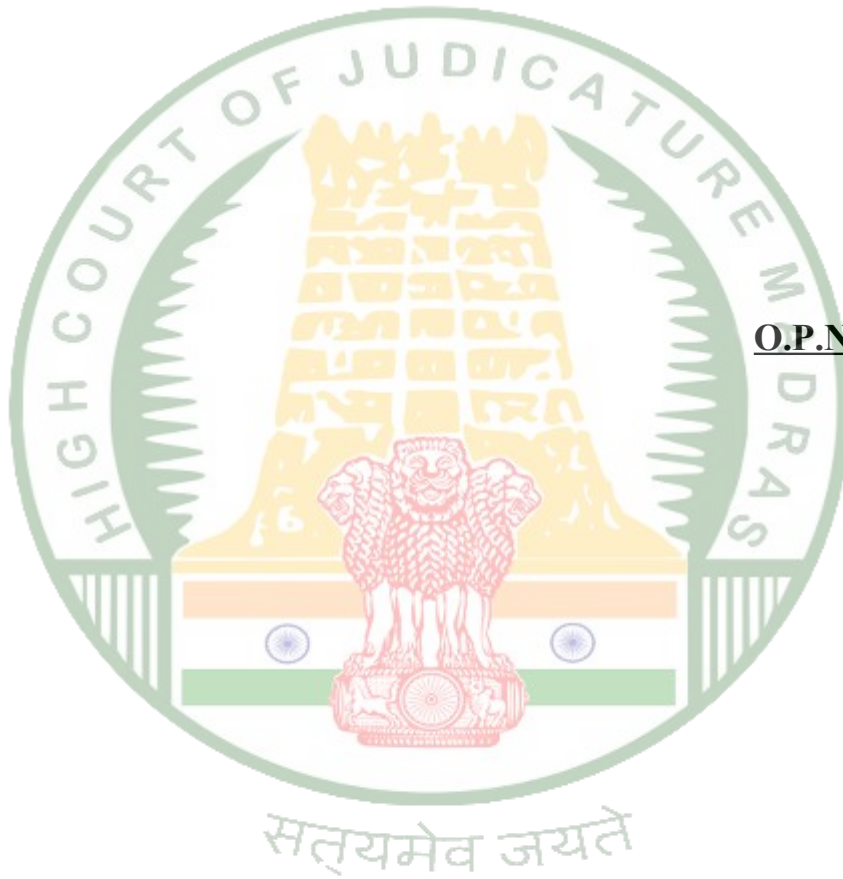
17.04.2021

Index : Yes / No  
Internet: Yes  
Speaking/non speaking order

vrc

To  
M.Jaichandren, Judge, [Retd.],  
High Court, Madras,  
D.No.422, South 2<sup>nd</sup> Main Road,  
Kapaleeswarar Nagar,  
Neelankarai,  
Chennai – 600 115  
Mobile No.94443 90951

**N. SATHISH KUMAR, J.**  
VTC



order in:

**O.P.No.429 of 2020**

**17.04.2021**

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