



Arb.O.P.No.28 of 2021

Arb.O.P.No.28 of 2021

V.PARTHIBAN.,J.

WEB COPY

This Original Petition is filed to appoint an Arbitrator to adjudicate the disputes between the petitioner and the respondent in terms of the arbitration agreement and in respect of the Letter of Consent dated 10.06.2021 which is a part and parcel of the Agreement for purchase of site 22.11.2015 and subsequently extended dated 01.11.2019.

2.The case of the applicant is that he has entered into the business of procuring lands and selling them into plots. The respondent has purchased a plot admeasuring about 900 Sq.Ft for a sale consideration of Rs.3,60,000/- and advanced an amount of Rs.90,000/- and failed to pay the remaining installments. Thereafter, due to Corona, few buyers died and some people are claiming the money/plots stating that they are the legal heirs of the deceased person without any proper death certificate or legal heir certificate. The learned counsel for the petitioner would further submit that he had suffered a huge interest loss.

3.Today, when the matter is taken up for hearing the learned counsel for the applicant would submit that a sole arbitrator may be appointed to adjudicate the dispute between the petitioner and respondent in terms of the arbitration agreement in respect of the letter of consent dated 10.06.2021. The learned counsel for the



Arb.O.P.No.28 of 2021

respondent also has no objection for appointment of an Arbitrator.

WEB COPY

4. In view of the submission made by the learned counsel for the applicant this Original Petition stands as ordered.

i) Mr. N. Balamurali Krishnan, Advocate, residing at Plot No. 278, Pillayar Koil Street, Golden Geroage Nagar, Nerkundram, Chennai - 600 107, (Cell No. 9841946780) is hereby appointed as an Arbitrator to enter upon reference and adjudicate the disputes *inter se* the parties.

ii) The arbitration shall take place in the chambers of the learned arbitrator so appointed, as the learned counsel for the petitioner expressed difficulty in paying rental charges towards the Arbitration and Conciliation Centre, if the same is taken up for use in the High Court premises. According to the learned counsel, the subject matter of dispute in the Arbitration is with reference to a very meager claim.

iii) The learned Arbitrator is at liberty to fix his remuneration and other incidental expenses, with reference to the ambit of the dispute and the claim involved

iv) The proceedings may be conducted in accordance with the Madras High Court Arbitration Rules.

v) The parties shall bear their own costs.

25.10.2021

tri/mrm



WEB COPY



Arb.O.P.No.28 of 2021

V.PARTHIBAN, J.

tri/mrm

Arb.O.P.No.28 of 2021

25.10.2021