

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 21.01.2021

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

O.P.No.632 of 2020

TVS Motor Company Limited
Regd. Off at “Chaitanya”, No.12,
Khades Nawaz Khan Road,
Nungambakkam,
Chennai – 600 006

... Petitioner

Vs.

Mr.ST D Chidambaram,
Proprietor, ST D AAUTOS
No.60, Tanjore Road,
Pattukottai, Thanavur District,
Tamilnadu – 614 601

Also at:

No.20, South Street
Old Peravurani, Peravurani Post
Thanjavur District – 614 804

... Respondent

Prayer: Petition filed under Section 11 (5) of the Arbitration and Conciliation Act, 1996, to appoint an arbitrator from the panel of nominees suggested by the petitioner to the respondents vide notice dated 23.09.2020, in accordance with clause 27 of the Authorized Main Dealership Agreement dated 01.04.2018 or such other person as deemed fit by this Hon'ble Court, to adjudicate upon the disputes that have arisen between the parties in relation to the agreement as outlined in the notice of dispute dated 04.05.2020.

For Petitioner : Ms. Madhupreetha Elango

For Respondent : Mr.S.Thiruvengkataswamy

ORDER

The learned counsels have agreed for the arbitrator to be appointed to resolve the dispute between the two.

2. In the light of the above circumstances this Court is passing the following order:

i) Hon'ble Mr. Justice S. Rajeswaran (Retd.), AA.67, 2nd street, Anna Nagar, Chennai – 600 040, Mobile: 9383212249, is appointed as an Arbitrator.

ii) The arbitrator may, 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 entering reference. It is open to the respondent to raise all legal objections as to the validity of contract.

iii) The arbitrator is at liberty to fix the remuneration and other incidental expenses as per law.

iv) The proceedings may be conducted under the aegis of the Madras High Court Arbitration Centre and in accordance with the Madras High Court Arbitration Rules.

3. The Original Petition is ordered leaving the parties to bear their own costs. No costs.

21.01.2021

Internet : Yes/No
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