

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.03.2021

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

OP.No.677 of 2020

M/s. Samunnati Agro Solutions Pvt. Ltd.,
Registered office at Baid Hi Tech Park,
8th Floor, No.129-B, East Coast Road,
Thiruvanmiyur, Chennai - 600 041
Represented by its Senior Manager
Mr. D. Vijayakarathi

... Petitioner

Vs

Sri Royal Traders
Represented by its proprietor
Mr. Ramanathan Selvaraj
1/11 - B/1, First Floor, Periyapatty Road,
Behind fire service station S P Pudur,
Nakakkal- 637001, Tamilnadu

... Respondent

Prayer : Original Petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 to appoint a sole arbitrator as provided under Clause 15 of the Sourcing and Distribution Agreement dated 17.04.2017 to adjudicate upon the differences and disputes between the parties under the said agreement dated 17.04.2017.

For Petitioner : Mr. M. Arunachalam
For Respondent : Mr. Kingsly Solomon

ORDER

The above Petition is filed to appoint a sole arbitrator as provided under Clause 15 of the Sourcing and Distribution Agreement dated 17.04.2017 to adjudicate upon the differences and disputes between the parties under the said agreement dated 17.04.2017.

2. The respondent has no objection to an Arbitrator being appointed.

3. Accordingly, it is ordered as follows:

(i) Mr. D. Shivakumaran, Advocate, 2nd Floor, Old Shaw Wallace Building, 336 (166), Thambu Chetty Street, Chennai - 600 001, Opp to High Court, Mobile No- 9841015582, is appointed as the Arbitrator to enter upon reference and adjudicate the disputes inter se the parties.

ii) The learned 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 receipt of the order. It is open to the respondent to raise all legal objections as to the validity of contract.

iii) The learned Arbitrator is at liberty to fix his remuneration and other incidental expenses as per law.

iv) The proceedings may be conducted at the Nani Palkhivala Arbitration Centre, New D.No.22, Karpagambal Nagar, Mylapore, Chennai 600004. The Centre has been recognised as an Institution by orders of the Hon'ble Chief Justice dated 19.09.2005.

The Original Petition is, accordingly, allowed, leaving the parties to bear their own costs.

18.03.2021

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

To,

1.M/s. Samunnati Agro Solutions Pvt. Ltd.,
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8th Floor, No.129-B, East Coast Road,
Thiruvanmiyur, Chennai - 600 041
Represented by its Senior Manager
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2.Sri Royal Traders
Represented by its proprietor
Mr. Ramanathan Selvaraj
1/11 - B/1, First Floor, Periyapatty Road,
Behind fire service station S P Pudur,
Nakakkal- 637001, Tamilnadu

3. Mr. D. Shivakumaran, Advocate,
2nd Floor, Old Shaw Wallace Building,
336 (166), Thambu Chetty Street,
Chennai - 600 001,
Opp to High Court,
Mobile No- 9841015582.

The seal of the Madras High Court is a circular emblem. It features a central golden temple gopuram (tower) with a red elephant standing in front of it. The elephant is facing left and has a red saddle with a circular emblem. The background of the seal is green with a white border. The words "HIGH COURT OF JUDICATURE MADRAS" are written in a circular path around the central image. At the bottom, the Sanskrit motto "सत्यमेव जयते" (Satyameva Jayate) is written in Devanagari script.

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P.T.ASHA, J.

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