



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(ORDINARY ORIGINAL CIVIL JURISDICTION)

MONDAY, THE 26TH DAY OF JULY 2021

THE HON'BLE MR. JUSTICE N.SATHISH KUMAR

O.P.No.911 of 2018

In the matter of Arbitration and
Conciliation Act, 1996

and

In the matter of the
Hypothecation Agreement dated
24th September 2016 between
M/s. Samunnati Finance
Intermediation and Services Pvt.
Ltd., and M/s. Star Masala

M/s. Samunnati Financial Intermediation
and Services Pvt Ltd
rep. By Mr.Ritesh Nair
Head Legal & Compliance
IITM-RTBI Module 2 A
Phase II, Block A, 6th Floor
IITM Research Park, Kanagam Village
Taramani, Chennai 600 113.

... Petitioner

Vs

M/s. Star Masala
II Floor, KMN Hari Plaza
128 Gandhi Street,
Kollampalayam, Erode 638 002.

... Respondent

Original Petition praying that this Hon'ble Court be pleased to:-

a) appoint an Arbitrator in terms of Section 11 (6) of the Arbitration

and Conciliation Act, 1996 to adjudicate all the disputes between the

petitioner and respondent.



This Original Petition alongwith O.P.No. 914 of 2018 coming on this day before this court for hearing in the presence of Mr.M.Arunachalam, Advocate for the Petitioner herein and the respondent herein not appearing in person or by advocate and upon reading the petition filed herein, it is ordered as follows:-

That Mr.Vijayan Subramanian, Old No.33, New No.17, Pulla Avenue, Shenoy Nagar, Chennai 600 030 (Mobile No.9841320723) be and is hereby appointed as a Sole Arbitrator to enter upon reference and adjudicate the matters.

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 the parties equally.

4. 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 26th DAY OF JULY 2021.

Sd./-

ASSISTANT REGISTRAR (O.S.II)

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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O.P.No.911 of 2018

ORDER:-
DATED: 26.07.2021

THE HON'BLE MR. JUSTICE
N.SATHISH KUMAR

FOR APPROVAL: 05.08.2021

APPROVED ON : 05.08.2021

Copy to:-

Mr.Vijayan Subramanian,
Sole Arbitrator
Old No.33, New No.17,
Pulla Avenue, Shenoy Nagar,
Chennai 600 030.

(Mobile No.9841320723)



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 26/7/2021

C O R A M

THE HONOURABLE Mr.JUSTICE N. SATHISH KUMAR

O.P.Nos.911 and 914 of 2018

Samunnati Financial Intermediation
and Services Pvt Ltd
rep. By Mr.Ritesh Nair
Head Legal & Compliance
IITM-RTBI Module 2 A
Phase II, Block A, 6th Floor
IITM Research Park, Kanagam Village
Taramani
Chennai 600 113.

...

Petitioner in both the
Original Petitions

Vs

M.s, Star Masala
II Floor, KMN Hari Plaza
128 Gandhi Street
Kollampalayam
Erode 638 002.

...

Respondent in O.P.No.
911 of 2018

M/s. Selvi Snacks
127 Vairapalayam, Nethaji Street
Erode 638 001.

...

Respondent in O.P.No.
914 of 2018

PRAYER in Original Petitions: Petitions filed under Section 11 (6) of the

Arbitration and Conciliation Act, 1996 to appoint an Arbitrator in terms of



Section 11 (6) of the Arbitration and Conciliation Act, 1996 to adjudicate all the disputes between the petitioner and respondents.

For Petitioner ... Mr.M.Arunachalam

For Respondents ... No appearance

COMMON ORDER

These Original Petitions have been filed, to appoint an Arbitrator, in terms of Section 11 (6) of the Arbitration and Conciliation Act, 1996, to adjudicate all the disputes between the petitioner and respondents.

2. Heard Mr.M.Arunachalam, learned counsel for the petitioner.

3. Despite the names of the respondents were printed in the cause list, none appeared for the respondents.

4. The dispute arose in the Hypothecation Agreement, dated 24/9/2016 and 28/12/2016, respectively, entered between the parties. Since the respondents have failed to act, as per the procedure agreed upon by the parties, the petitioner has come forward with these applications praying for



the relief as stated therein.

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5. Accordingly, Mr.Vijayan Subramanian, learned counsel, is appointed as a Sole Arbitrator to enter upon reference and adjudicate the matters.

6. Accordingly, these Original Petitions are ordered as follows:

i. Mr.Vijayan Subramanian, Old No.33, New No.17, Pulla Avenue, Shenoy Nagar, Chennai 600 030 (Mobile No.9841320723) is appointed as a Sole Arbitrator to enter upon reference and adjudicate the matters.

ii. 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. The learned Sole Arbitrator appointed herein

shall be paid fees and other incidental charges, fixed



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by him and the same shall be borne by the parties
equally.

7. These Original Petitions are ordered accordingly, leaving the
parties to bear their own costs.

Sd./-(N.S.K.J.,)

26.07.2021

//Certified to be true copy//

Dated at Madras this the day of 2021.

COURT OFFICER(O.S.)

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