



W.P.No.1453 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

W.P.No.1453 of 2013

P.K.Sudarvel Pandian

... Petitioner

Vs.

1.The Bharat Sanchar Nigam Limited
Rep by its General Manager
Chennai Telephones (NOW-SOUTH)
40.E, CIPET Road, TVK Industrial Estate
Guindy, Chennai-600 032

2.The Deputy General Manager (CP&MM)
Bharat Sanchar Nigam Limited
Chennai Telephones
O/o Senior General Manager (NW, P & D) CFA
No.2, Kushskumar road
Nungambakkam,
Chennai-600 034

3.The Bharat Sanchar Nigam Limited
Rep by its General Manager
Chennai Telephones (Now-WEST)
No.1, Ganga Nagar Telephone exchange
Kodambakkam, Chennai

4.The Bharat Sanchar Nigam Limited
Rep by its General Manager
Chennai Telephones (Now-NORTH)
Flower Bazaar Telephone exchange



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No.1, 6th floor, N.S.C. Bose Road
Chennai-600 001

... Respondents

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PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified mandamus calling for the records relating to the proceedings made in No.AGM(CP&MM) CFAIV/CPT Tender Corres/2010-13/IV/13 dated 04.01.2013 issued by the 2nd respondent and quash the same and consequentially forbear the respondents from preventing the petitioner from taking part in the tenders floated by BSNL, Chennai Telephone, Chennai.

For Petitioner : Mr.M.Ilansezhiyan
for
Mr.G.Ethirajulu
For Respondents : Mrs.K.Parameshwari

ORDER

Challenging in the Writ Petition is with regard to payment of bill for the work done by the petitioner and the consequential black listing by the 2nd respondent.

2. As the Court has pointed out that the agreement governing the parties contains Arbitration clause in agreement 17.2 both sides agreed for arbitration and suggested their names. The name suggested by the respondent are the retired officers. This Court is of the view that considering the dispute is of the view that if an independent Arbitrator is appointed the



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same will meet the ends of justice.

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3. Accordingly, with the consent of both sides, it is ordered as follows:

i) that Hon'ble Retired Justice K.Ravichandra Babu, Flat 1D, Crescent Castle Apartment, 13, Second Crescent Park Road, Gandhi Nagar, Adyar, Chennai-600 020. Mobile No.94980 33336 is appointed as a Sole 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 the learned Sole Arbitrator appointed herein shall fix his fees and other incidental charges and the same shall be borne by the parties equally.



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All the disputes with regard to the claims to be preferred by both the parties before the Arbitrator. Let the Arbitrator decide the issue. Accordingly the writ petition is closed. No costs.

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Internet: Yes

Speaking/Non speaking order



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To

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- 1.The General Manager
Bharat Sanchar Nigam Limited
Chennai Telephones (NOW-SOUTH)
40.E, CIPET Road, TVK Industrial Estate
Guindy, Chennai-600 032
- 2.The Deputy General Manager (CP&MM)
Bharat Sanchar Nigam Limited
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No.2, Kushskumar road
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- 3.The General Manager
Bharat Sanchar Nigam Limited
Chennai Telephones (Now-WEST)
No.1, Ganga Nagar Telephone exchange
Kodambakkam, Chennai
- 4.The General Manager
Bharat Sanchar Nigam Limited
Chennai Telephones (Now-NORTH)
Flower Bazaar Telephone exchange
No.1, 6th floor, N.S.C. Bose Road
Chennai-600 001
- 5.Hon'ble Retired Justice K.Ravichandra Babu,
Flat 1D, Crescent Castle Apartment,
13, Second Crescent Park Road,
Gandhi Nagar, Adyar, Chennai-600 020.



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N. SATHISH KUMAR, J.

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