



WEB COPY



*Arb O.P(Com.Div.)No.259 of 2022*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.07.2022

CORAM

THE HONOURABLE Mr.JUSTICE **M.SUNDAR**

**Arb O.P(Com.Div.)No.259 of 2022**

1. M/s.Shri Hospitals,  
Rep by its Partner G.Premnath,  
103, Tamil Sangam Road,  
Sankar Nagar,  
Salem 636 007.

2. Dr.Premnath  
S/o.Late Gurunathan

3. Dr.J.Gurunathan  
Son of Mr.Jayaraman

4. Dr.M.Javeed Khan  
Son of Mehboob Khan

5. Dr.S.Suresh Kumar  
Son of M/M.Sundaravadivel

6. Dr.I.G.Nagarajan  
Son of Ganesan

... Petitioners

vs.

Dr.R.IndraPriyadharsini  
Managing Partner, Shri Hospitals,  
103, Tamil Sangam Road,  
Sankar Nagar, Salem 636 007.

... Respondent



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Arbitration Original Petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 to

(a) Appoint an arbitrator to adjudicate the disputes between the petitioners and the respondent in terms of the arbitration agreement dated 13.08.2020;

(b) Direct the respondent to pay costs.

For Petitioners : Mr.Avinash Wadhwani

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### **ORDER**

Mr.Avinash Wadhwani, learned counsel for petitioners adverting to earlier proceedings made in the previous listing on 20.07.2022, submits that CMA.No.875 of 2022 came up yesterday before another Hon'ble single Judge, a sole Arbitrator has been appointed by consent. This means that the prayer in the captioned 'Arbitration Original Petition' [hereinafter 'Arb OP' for the sake of convenience and clarity] has become infructuous.

2. Learned counsel has made an endorsement in the case file and a scanned reproduction of the same is as follows:



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As an arbitrator was appointed  
by consent in CN 785/22,  
no further adjudication is required.  
Therefore, it is requested the petition  
be permitted to withdraw this  
SII petition  
g.h.j.  
27/7/22

3. Aforementioned endorsement in the case file is reiterated by the learned counsel for petitioners in the hearing.

4. In the light of the narrative thus far, captioned Arb OP is disposed of as closed / withdrawn making it clear (though obvious) that this Court has not expressed any view or opinion on the merits of the matter. There shall be no order as to costs.

**27.07.2022**

Speaking/Non-speaking order  
Index : Yes / No

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**M.SUNDAR. J.,**

mk

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