



WEB COPY



ARB O.P.(Com.Div) N.138 of 2023

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

DATED: 21.07.2023

CORAM:

**THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE**

**Arb. O.P. (Com. Div.) No.138 of 2023**

M/s Resilent Merchandise LPP,  
Represented by its Designed Partner,  
Mr.Sandeep.

...

Petitioner

vs.

J. Venkataramana,

...

Respondent

**Prayer :** Arbitration Original Petition (Commercial Division) filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 to appoint an arbitrator to adjudicate the disputes between the Petitioner and the respondent in terms of the Arbitration Agreement contained in Lease Deed Agreement dated 11.07.2022 and b) direct the responden to pay the costs.

For petitioner  
For respondent

: Mr. Navod Prasannan  
: Mr. A. K. Sriram  
Senior Advocate  
For Reshmi Christy

**ORDER**

The learned counsel for the petitioner has made an endorsement in the Court bundle stating that since the respondent is disputing the



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arbitrability of the dispute, liberty may be granted to the petitioner to file a Civil suit for the recovery of the alleged damages said to have been suffered by the petitioner against the respondent.

2. No prejudice would be caused to any of the parties, if such a liberty is granted. It is open for the respondent to defend the Civil suit by raising all objections available to him under law as and when such a Civil suit is filed by the petitioner in the near future.

3. In terms of the endorsement made by the learned counsel for the petitioner, this petition is disposed of by granting liberty to the petitioner as prayed for. No costs.

21.07.2023

Index: Yes/ No  
Speaking order / Non speaking order  
Neutral citation : Yes / No  
vsi2



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**ABDUL QUDDHOSE, J.**

vsi2

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