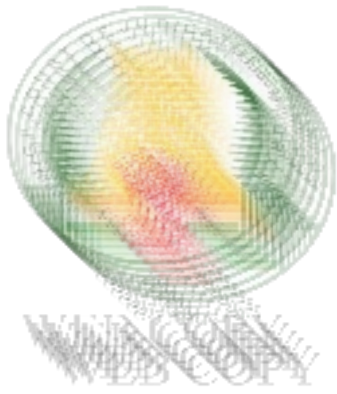




Arb.O.P.(Com.Div.) No.319 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2023

CORAM

THE HON'BLE Mr. JUSTICE ABDUL QUDDHOSE

Arb.O.P (Com.Div.) No.319 of 2023

C.S.Padam Chand

... Petitioner

Versus

1.K.Shibu

2.M/s.H.R.Pictures

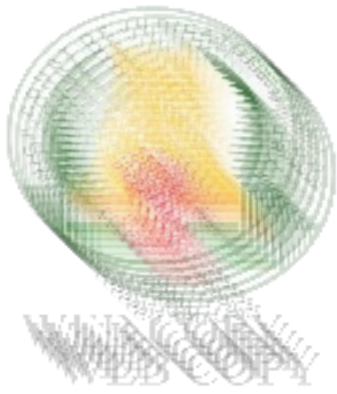
rep. by its Managing Partner

Mumthas Muhammad

... Respondents

(second respondent removed from the array
of party as per order dated 19.07.2023 in
Arb.O.P. (Com.Div.) No.319 of 2023)

Prayer: Arbitration Original Petition (Commercial Division) filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 to appoint and nominate an Arbitrator to resolve the disputes arising out of Temporary Transfer of Copy Rights Agreement for dated 20.09.2018 for CENT (Coimbatore, Erode, Nilgiris and Thirupur) Areas and Chengalpattu Distribution Area entered into between the petitioner and the said M/s.Thameens Films, referring the dispute to Arbitration.



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For Petitioner : Ms.Harini
for M/s.My Lord Law Associates

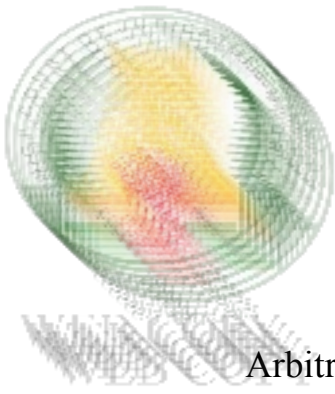
For R1 : Ms.Abirami

For R2 : Given up

ORDER

This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 seeking for appointment of an Arbitrator.

2.A memo has been filed by both the counsels, representing the respective parties. As seen from the Memo dated 27.01.2023, the petitioner as well as the first respondent have agreed for appointment of Hon'ble Mr.Justice V.Bharathidasan, Former Judge of this Court to be the Sole Arbitrator to adjudicate the dispute, arising out of the Temporary Transfer of Copy Rights Agreement dated 20.09.2018 for CENT (Coimbatore, Erode, Nilgiris and Thirupur) Areas and Chengalpattu Distribution Area, entered into between the petitioner and M/s.Thameens Films.

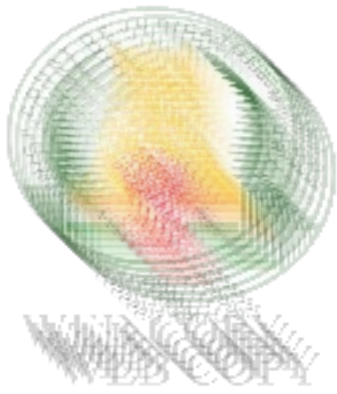


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3.Since there is a consensus reached with regard to the name of the Arbitrator, in terms of the Joint Memo, this Court appoints Hon'ble Mr.Justice V.Bharathidasan, Former Judge of this Court as the Sole Arbitrator to adjudicate the disputes arising out of the aforementioned Agreement.

4.For the foregoing reasons, this Arbitration Original Petition is allowed as prayed for by issuing the following directions:

(a)This Court appoints Hon'ble Mr.Justice V.Bharathidasan, Former Judge of this Court, having Office at No.22 (L-45), 2nd Main Road, Kamaraj Nagar, Thiruvannamipur, Chennai (Mobile No.9444383139) as the Sole Arbitrator to decide the dispute between the petitioner and the first respondent arising out of Temporary Transfer of Copy Rights Agreement dated 20.09.2018 for CENT (Coimbatore, Erode, Nilgiris and Thirupur) Areas and Chengalpattu Distribution Area, on merits and in accordance with law.



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ABDUL QUDDHOSE, J.

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(b)The Sole Arbitrator shall be paid his remuneration/fees by consent of both the parties to the dispute.

(c)The Venue of the Arbitration shall be at Chennai.

(d)The Arbitrator shall conduct the arbitration in accordance with the provisions of the Arbitration and Conciliation Act, 1996 and shall complete the arbitration within the specified time as prescribed under the said Act.

27.07.2023

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Index:Yes/No
Speaking/Non-speaking orders

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