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Arb.O.P (Com.Div.) No.230 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

Arb.O.P (Com.Div.) No.230 of 2024

P.Rahul

...Applicant

-VS-

1.The Administrator,
Pachaiyappa's Trust,
Chennai -30.

2.The Secretary,
Pachaiyappa's Trust,
Chennai -30.

3.The Pachaiyappa's College,
Represented by its Principal,
Chennai – 30.

...Respondents

PRAYER: Arbitration Original Petition filed under Section 11(6) of the

Arbitration and Conciliation Act, 1996 to appoint and nominate to Arbitrator to resolve the dispute arising out to 05.10.2023 entered into between the petitioner and the Principal of Pachaiyappa's College by referring the dispute to Arbitration and pass such other suitable orders.

For Petitioner : Mr.Abdul Mubeen

For Respondents : Mr.Om Prakash Sr., Counsel for
Mr.K.Elango for RR1 to 3



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ORDER

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This Arbitration Original Petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 to appoint an Arbitrator to resolve the dispute arising between the petitioner and the Principal of Pachaiyappa's College by referring the dispute to Arbitration.

2. Heard Mr.Abdul Mubeen, learned counsel for the petitioner and Mr.Om Prakash learned Senior counsel appearing for Mr.K.Elango learned counsel appearing for respondents RR1 to 3.

3. When the matter was taken up for hearing, Mr.Om Prakash, learned Senior counsel appearing for the respondents would submit that he has no objection for appointment of an Arbitrator to enter upon the dispute that had arisen between the parties. However, there has been no consent between the respective learned counsels appearing for the parties as to the consented Arbitrator, hence, they request this Court to appoint a retired High Court Judge as an Arbitrator to resolve the dispute.

4. In view of the consent that has been expressed by the learned counsel appearing on either side, I am inclined to appoint ***Hon'ble***



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Mr.Justice N.Authinathan, learned Judge (Retired), residing at Flat No.37, A-Block, Lakshmi Nivas (Opp., to Rajarathinam Stadium), Rukmani Lakshmipathy Salai, Egmore, Chennai -8, as Sole Arbitrator to enter upon the dispute between the petitioner and the respondents.

5. The learned Sole Arbitrator is entitled to fix his fees as per the Schedule-IV to the Act. This Court further requests the learned Sole Arbitrator to endeavour to decide the dispute as expeditiously as possible, however, not later than six(6) months from the date of his entering into reference.

6. Accordingly, this Arbitration Original Petition is ordered.

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Index :Yes/No
Internet:Yes/No
Pbn

(1/2)



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K.KUMARESH BABU, J.
Pbn

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