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Arb.OP(Com.Div.) No.281 of 2024

HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.12.2024

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THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Arb.OP(Com.Div.) No.281 of 2024

M/s.S.M.Engineering Works
A Proprietary Concern,
represented by its Co-proprietor,
Mr.M.Gopi

...Petitioner

Vs.

1.The Department of Fisheries,
Government of Tamilnadu,
Rep. by its Commissioner,
Integrated Office Building,
3rd Floor, Veterinary Hospital Complex,
571, Anna Salai, Nandhanam,
Chennai-600 035.

2.The Assistant Director of Fisheries,
Department of Fisheries & Fishermen Welfare,
Government of Tamilnadu,
Sangumal Beach, Near Agnitheertham,
Olaikkuda Road, Rameshwaram-623 526.

3.Mr.Joyson James

...Respondents

Prayer: Petition filed under Section 115 (5) of the Arbitration and Conciliation Act, 1996, to appoint a Sole Arbitrator to adjudicate the disputes between the petitioner and the respondents in terms of the Arbitration



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Agreement as found in Article 21(1) of the Tripartite Agreement for Building Long Liner cum Gill, Netter Deep Sea Fishing Boat under the scheme of 'Diversification of Trawi Fishing Boats from Palk Bay into Deep Sea Fishing Boats' dated 10.09.2019.

For Petitioner	: Mr.L.Sivakumar
For R1 & R2	: Mr.R.Siddharth Government Advocate
For R3	: Mr.D.Mario Johnson (Undertakes to file Vakalat)

ORDER

This petition has been filed to appoint a Sole Arbitrator to adjudicate the disputes between the petitioner and the respondents in terms of the Arbitration Agreement as found in Article 21(1) of the Tripartite Agreement for Building Long Liner Cum Gill, Netter Fishing Boats from Palk Bay into Deep Sea Fishing Boats' dated 10.09.2019.

2. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3. Today when the matter is taken up for hearing, the learned counsel appearing for the petitioner would submit that pending this petition, the matter has been referred before the Mediation and Conciliation Centre and the parties



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have settled their issues amicably by way of settlement of agreement, dated
28.10.2024.

4. In view of the above, this Arbitration Original Petition is disposed of based on the terms and conditions of the Settlement Agreement dated 28.10.2024. The Settlement Agreement dated 28.10.2024 shall form part of the order. No costs.

Internet : Yes
Index : Yes/No
Speaking/Non Speaking order
am

12.12.2024

To

- 1.The Department of Fisheries,
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G.K.ILANTHIRAIYAN, J.
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