



Arb.Appln.Nos.416 to 419 of 2024

in

O.A.Nos.292, 290, 294 and 296 of 2018

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KRISHNAN RAMASAMY, J.,

These Applications have been filed to appoint a substitute arbitrator in the place of Thiru.K.Jayaraman (District Judge, Retd.,) appointed by this Court vide order dated 20.04.2018 in O.A.Nos.290 to 297 of 2018 respectively to continue the arbitral proceedings and conclude the same.

2. The learned counsel for the Applicant submitted that learned Arbitrator, Mr.K.Jayaraman, District Judge (Retd.,) who was appointed by this Court vide order dated 20.04.2018 has expressed that due to his health condition, he is not willing to act as an Arbitrator and hence requested this Court to allow these Applications.

3. The learned counsel appearing for the Respondent has stated no



Arb.Appln.Nos.416 to 419 of 2024
in
O.A.Nos.292, 290, 294 and 296 of 2018

objection in allowing these Applications.

4. In view of the submission made by the learned counsel for the Petitioner and also in view of no objection having been stated by the learned counsel appearing for the Respondent, this Court is inclined to substitute **Mr.M.Ilangovan, Former District Judge**, as sole Arbitrator in the place of Mr.K.Jayaraman, District Judge (Retd.,) to continue the arbitral proceedings and conclude the same.

5. Accordingly, this Court feels it appropriate to pass the following order:

i) **Mr.M.Ilangovan, Former District Judge, possessing Mobile Nos. 8111022221 & 7010319425, No.10, W-Block, 5th Main Road, Anna Nagar, Chennai 600 040**, is appointed as sole arbitrator to enter upon reference and adjudicate the disputes *inter se* the parties.

ii) The learned Arbitrator appointed herein, shall



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in
O.A.Nos.292, 290, 294 and 296 of 2018

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after issuing notice to the parties and upon hearing them, pass an award as expeditiously as possible, preferably within a period of six months from the date of receipt of the Order. The learned Arbitrator is also directed to decide the matters without influenced by the observations made by this Court in the present order.

iii) The learned Sole Arbitrator appointed herein shall be paid fees and other incidental charges, as per Schedule IV of the Act and the same shall be borne by the parties equally. In the event of non-appearance of the respondent, the petitioner shall bear the entire remuneration and other expenses and thereafter, the petitioner can recover the same directly from the respondent and vice versa.

Accordingly, these Applications are allowed on the aforesaid terms.

26.07.2024

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