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Arb.O.P (Com.Div.) No. 308 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

Arb.O.P (Com.Div.) No. 308 of 2024

E.Pongiannan Gounder

...Petitioner

-VS-

M/s.Chennai Network Infrastructure Limited
Presently merged with GTL Infrastructure Limited
Head office at
412, Janmabhoomi Chambers
29, Walchand Hirachand Marg
Ballard Estate, Mumbai-400001
Maharastra, India.

Branch office at

Old No. 186, New No.232
City Centre, 3rd Floor
Pursawalkam High Road
Chennai-600010, Tamil Nadu,India.

... Respondent

PRAYER: Arbitration Original Petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 to appoint an Arbitral Tribunal to resolve the disputes between the parties, under the Lease Deed dated 27.12.2016 entered into by the parties, in accordance with the Arbitration



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and Conciliation Act, 1996. Pass an order imposing costs of these proceedings on the respondent and pass any further or other orders as may be just and necessary in the circumstances of the case.

For Petitioner : Mr.G.Manoj

For Respondent : Mr.C.Sakthimanikandan

O R D E R

This Arbitration Original Petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 to appoint an Arbitral Tribunal to resolve the disputes between the parties, under the Lease Deed dated 27.12.2016 entered into by the parties, in accordance with the Arbitration and Conciliation Act, 1996 and pass an order imposing costs of these proceedings on the respondent.

2. Heard Mr.G.Manoj, learned counsel for the petitioner and Mr.C.Sakthimanikandan, learned counsel for the respondent.

3. The learned counsel for the respondent would submit that he has no objection for appointment of an Arbitrator but however he would seek



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liberty of this Court to raise the issue relating to the stamping of the document. Both the learned counsels also have consented for appointment of a Sole Arbitrator by this Court and they have requested this Court to appoint a Retired District Judge of Erode as Arbitrator. In such circumstances, this Court appoints Mr.S.Sengottaiyan, Retired District Judge, (Mobile No. 9842741166) residing at No.5, Vivekanandhar Street, Vettu Kattu Valasu, Near Erode North Police Station, Nasiyanoor Road, as Sole Arbitrator to enter upon the dispute between the petitioner and the respondent.

4. 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.

5. Accordingly, this Arbitration Original Petition is ordered.

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Index :Yes/No

Maya

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K.KUMARESH BABU, J.

Maya

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