



Arb.O.P.No.49 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:20.11.2024

Coram:

THE HONOURABLE DR.JUSTICE G. JAYACHANDRAN

Arb.O.P.No.49 of 2024

Mrs.Y.Rajalakshmi

.. Petitioner

/versus/

Mr.K.Naresh

.. Respondent

Arbitration Original Petition has been filed under Section 11(4) of the Arbitration and Conciliation Act, 1996, praying to

(a)appoint a sole arbitrator to arbitrate all the claims and disputes between the petitioner and the respondent arising out of the Joint Venture Agreement dated 21.09.2020;

(b)direct the respondent to pay the cost of the petition.

For Petitioner :Mr.M.Vishnu Venkatesh

For Respondent :Ms.J.Jayasudha



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ORDER

This Petition is filed to dissolve the dispute between the petitioner and the respondent.

2.The joint venture agreement entered between the parties provides for resolution of dispute through an Arbitrator. The petitioner claims that the terms of the agreement has not been complied and the portion, which should be allotted to the petitioner has not been allotted and therefore, there is a dispute to be resolved.

3.In the counter, the respondent states that the terms of the agreement has already been substantially complied and no dispute exist between the parties. It is specifically contended that 50% of the right in the property as agreed has already been settled in favour of the petitioner which is not admitted by the petitioner's counsel.

4. In the said circumstances, this Court finds that it is the case to be referred to Arbitrator for settlement of the dispute as per the pre-



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existing agreement between the parties. Mr.J.Krishnamoorthy, District Judge (Retd.) is appointed as an Arbitrator. The remuneration to be fixed by the Arbitrator and to be shared by the parties equally. Accordingly, this Arbitration Original Petition is ordered. No costs.

20.11.2024

Index:yes/no
Internet:yes/no
Speaking order/non speaking order
Neutral citation:yes/no
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DR.G.JAYACHANDRAN,J.

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