



Arb.O.P.(Comm.Div.) No.447 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2024

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THE HONOURABLE **MR.JUSTICE P.B.BALAJI**

Arb.O.P.(Comm.Div.) No.447 of 2024

M/s. P.C.S. Transports,
Rep. by its Managing Partner,
P. Chandrasekaran,
Opp. Murugan Kovil, 1A,
Mayampillaiyar Kovil Road,
Salem Road, Namakkal - 637 001

... Petitioner

VS.

1. M/s. Indian Oil Corporation Limited,
Rep. by Chief General Manager,
Operations Department, Tamil Nadu State Office,
Indian Oil Bhavan, 139, Uthamar Gandhi Road
(Nungambakkam High Road) Chennai - 600 034.
2. The Chief Terminal Manager,
M/s. Indian Oil Corporation Limited (MD),
Salem Terminal,- Narayanappan Chavadi,
Sankari Durg R.S., Salem District 637 302.
3. The General Manager (Contracts Cell),
SR M/s. Indian Oil Corporation Limited (MD),
Salem Terminal, Narayanappan Chavadi,
Sankari Durg R.S., Salem District 637 302.

... Respondents



PRAYER: Arbitration Original Petition filed under Sections 11 (6) of the Arbitration and Conciliation Act, 1996 to appoint a Sole Arbitrator to adjudicate upon the disputes arisen between the Petitioner and Respondents under the Tender for Road Transportation of Bulk Petroleum Product ATF - Top Loading in Tender No. SRCC/PT/023/TNSO/2022-23.

For Petitioner : Mr.S.Senthil

For Respondents : Mr.Mohammed Fayaz Ali for R1
No Appearance for R2 & R3

ORDER

This Arbitration Original Petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 (hereinafter called as 'the Act') to appoint a sole Arbitrator to adjudicate the dispute arising under Tender document for Road Transportation of Bulk Petroleum Product ATF - Top Loading in Tender No. SRCC/PT/023/TNSO/2022-23 between the petitioner and the respondent.

2. I have heard Mr.S.Senthil, learned counsel for the petitioner and Mr.Mohammed Fayaz Ali, learned counsel for the first respondent and there



is no appearance on behalf of the second and third respondents.

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3. The learned counsel for the petitioner would take me through the arbitration agreement between the petitioner and respondents. He would also invite my attention of the arbitration notice dated 25.06.2024 as well as 12.08.2024, there has been no reply to the said notices sent by the petitioner. Hence, the Original Petition has been filed under Section 11(6) of the for appointment of arbitrator.

4. The learned counsel for the first respondent would fairly submit that the arbitration agreement between the parties is admitted, hence the first respondent has no serious objection for appointment of a sole arbitrator.

5. In view of the above and considering the nature of the disputes, I am inclined to appoint **Mr.C.T.MOHAN, Senior Advocate, having address at Old No.70, New No.18, LANDONS Road, KILPAUK, Chennai- 600 010, Cell: 94454 87639, e.mail:cetemohan@gmail.com** as the Sole Arbitrator. The sole Arbitrator is directed to enter upon reference and adjudicate the dispute in accordance with law.

6. The learned Arbitrator is entitled to fix his fees as per the



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Schedule-IV to the Act. This Court further requests the learned Arbitrator to endeavor to decide the dispute as expeditiously as possible, however, not later than six (6) months from the date of his entering into reference.

7. Accordingly, this Arbitration Original Petition is allowed.

09.12.2024

rkp

Index : Yes / No

Internet : Yes / No

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P.B.BALAJI, J.,

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