



W.P(MD)No.23252 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2024

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.23252 of 2017

and

W.M.P(MD)Nos.19558 & 19559 of 2017

M/s.Trinity Educational Charitable Trust,
Through its Trustee
A.Edwin Babu,
S/o.Augustine Antony,
D.No.18, Thiruviruthanpuli Village,
Pattamadai,
Tirunelveli District.

... Petitioner

Vs.

1.M/s.Shriram Transport Finance
Company Limited,
Tirunelveli,
Represented by its Power of Attorney,
S.Surendran.

2.The Sole Arbitrator,
Arbitral Tribunal – Tirunelveli,
Maharaja Nagar,
Tirunelveli – 627 011.

3.The Joint Sub Registrar No.1,
Office of the Joint Sub Registrar No.1,
Cheranmahadevi,
Tirunelveli District.

... Respondents



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Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records relating to the impugned order of second respondent dated 26.11.2017 in I.A.No.155 of 2017 in Arbitration Case No.326 of 2015 quash the same.

For Petitioner : Mr.S.Srinivasa Raghavan

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader
for R.3

No Appearance for R.2

ORDER

When the matter was taken up for hearing, the learned counsel for the petitioner submitted a memo indicating that the petitioner had not reported any instructions.

2. The prayer in the Writ Petition is to challenge an order passed by the sole arbitrator in an interim application in Arbitration Case No. 326/2015. No writ petition would lie against the order passed by the arbitrator appointed under the Arbitration and Conciliation Act, and only a petition under Section 34 of the Act could be maintained.



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3. In view of the same, the Writ Petition is not maintainable and hence dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

03.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Nsr

To:

- 1.M/s.Shriram Transport Finance
Company Limited,
Tirunelveli,
Represented by its Power of Attorney,
S.Surendran.
- 2.The Sole Arbitrator,
Arbitral Tribunal – Tirunelveli,
Maharaja Nagar,
Tirunelveli – 627 011.
- 3.The Joint Sub Registrar No.1,
Office of the Joint Sub Registrar No.1,
Cheranmahadevi,
Tirunelveli District.



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K.KUMARESH BABU, J.

Nsr

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