



WEB COPY



Arb.O.P.(Com.Div.)No.112 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-04-2025

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

Arb.O.P.(Com.Div.)No.112 of 2025

M/s. Revanza Global Ventures Private Limited,
Represented by tis Authorise Signatory,
Mr.Sushil Lalwani,
Office t no.23, EVR Salai, (P.H.Road),
Periamet,
Chennai - 600 003

..Petitioner

vs.

Mr.T.Mannan,
Proprietor of Mannan Film House,
No.703, 7th Floor,Raheja Regency,
MRC Nagar,
Chennai - 600 028

Aso residing at
No.2/182, Easanoor Nalukottai Post,
Sivaganga - 630 561

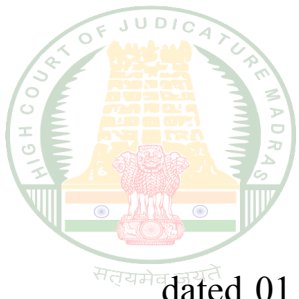
..Respondent

For Petitioner : Mr.Mr.Prashant Rajagopal
for Mr.S.Rajendrakumar
For Respondent : Mr.John Jose

ORDER

This petition has been filed under Section 11 of the Arbitration and Conciliation, 1996, seeking for appointment of an Arbitrator by this Court

2. There seems to be a dispute arising out of the Deed of Assignment



Arb.O.P.(Com.Div.)No.112 of 2025

dated 01.03.2023 entered into between the parties. In the Deed of Assignment dated 01.03.2023, there exists an arbitration clause which is extracted hereunder.

"23. In case of any dispute or differences between the parties, the parties shall refer the matter to the Arbitration of a sole Arbitrator, if the parties agree upo the sole arbitrator or to a panel of three arbitrators, one to be appointed by each party and the third Arbitrator be appointed by the other two Arbitrators as Presiding Arbitrator. The Arbitration shall be at Chennai and shall be governed by the provisions of Arbitration and Conciliation Act, 1996 or any statutory modification or enactment thereof for the time being in force."

3. The petitioner has invoked arbitration in accordance with the arbitration clause by issuing notice to the respondent on 04.12.2024 to comply with the requirements of Section 21 of the Arbitration and Conciliation Act, 1996. A reply has also been received to the said arbitration invocation notice from the respondent on 04.01.2025. Since there is no consensus between the parties with regard to the name of the Arbitrator, this Court will have to necessarily appoint an Arbitrator as prayed for in this petition.



Arb.O.P.(Com.Div.)No.112 of 2025

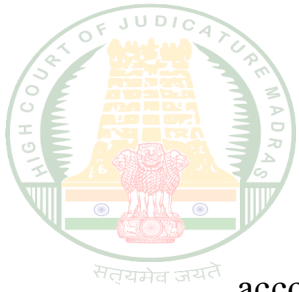
WEB COPY

4. When the matter came up for hearing on 25.03.2025 as well as on 02.04.2025, the respondent had sought time to file counter. However, till date, counter has not been filed by the respondent. When there exists an arbitration clause in the agreement which is the subject matter of dispute between the parties, which is also not disputed by the learned counsel for the respondent during the course of his submission and since the petitioner has complied with the requirements of Section 21 of the Arbitration and Conciliation Act, 1996 and since there is no consensus between the parties with regard to the name of the Arbitrator, this Court has to necessarily appoint an Arbitrator as prayed for in this petition.

5. For the foregoing reasons, this Arbitration Original Petition is allowed as prayed for by issuing the following directions :-

a) This Court appoints Mr.M.Aravind Subramaniam, Senior Advocate, having office at Caithness Hall, 2nd Floor, Old No.157, New No.323, Linghi Chetty Street, Chennai-600 015 (Cell No.9840037677) (Ph.Nos.044-45262900 & 044-45271443) as the sole Arbitrator to adjudicate the dispute between the parties arising out of the aforesaid Deed of Assignment dated 01.03.2023.

(b) The Arbitrator shall be paid his /her remuneration / fees in



Arb.O.P.(Com.Div.)No.112 of 2025

accordance with the 4th schedule of the Arbitration and Conciliation Act, 1996.

(c) Both the parties shall equally share the arbitrator's fees.

(d) The Arbitrator shall conduct the arbitration in accordance with the provisions of the Arbitration and Conciliation Act, 1996 and shall complete the arbitration within the specified time as prescribed under the said Act.

17-04-2025

Index: Yes/ No

Speaking order / Non speaking order

Neutral citation : Yes / No

vsi

ABDUL QUDDHOSE,J.



WEB COPY



Arb.O.P.(Com.Div.)No.112 of 2025

vsi

Arb.O.P.(Com.Div.)No.112 of 2025

17.04.2025