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Arb.O.P(Com.Div.) No.138 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.01.2025

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THE HONOURABLE MR.JUSTICE P.B.BALAJI

Arb.O.P(Com.Div.) No.138 of 2024

P.Paulraj

... Petitioner

VS.

1.R.Veeralakshmi

2.K.A.Mariappan

... Respondents

PRAYER: Arbitration Original Petition filed under Sections 14(2) of the Arbitration and Conciliation Act, 1996, to terminate the mandate of the Arbitrator - 2nd respondent.

For Petitioner : Mr.G.Veerapathiran

For Respondents

For R1 : Mrs.A.Parveen

For R2 : Mr.K.A.Mariappan

ORDER

This petition has been filed under Section 14(2) of the Arbitration and Conciliation Act, 1996, to terminate the mandate of the Arbitrator - 2nd respondent.



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2.Heard the learned counsel on either side.

3.Pursuant to the order dated 03.01.2025, the learned counsel for the applicant in A.No.1784 of 2024 has filed an affidavit of undertaking stating that the immovable property belonging to the applicant will not be alienated, pending disposal of the arbitration proceedings. The said affidavit dated 08.10.2025 is recorded.

4.With the consent of both the parties, I hereby appoint **Mr.M.S.Sampath, Advocate, New No.170, Old No.326, Saikripa Building, Parrys, CH-01, Thambu Chetty Street, Near UCO Bank, Chennai, Ph.No.9841159996**, as the Sole Arbitrator to enter reference and adjudicate the disputes pending between the applicant and the respondents.

5.The learned Arbitrator is entitled to fix his fees as per the Schedule-IV to the Act. The learned Arbitrator shall endeavour to dispose of the proceedings within a period of four months from the date of receipt of a copy of this order. The petitioner as well as the respondents are at liberty to put forth all the contentions available, including those that are raised here or



not raised. It is made clear that the arbitration costs shall be met equally.

However, in the event of the petitioner being unsuccessful in the present arbitration proceedings, then the Arbitrator shall also take into account the costs incurred by the respondents in the earlier round of arbitration and shall also direct the same to be met by the applicant, along with other costs, subject to proof.

6. Accordingly, this Arbitration Original Petition is allowed.

27.01.2025

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Index : Yes / No

Internet : Yes / No



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P.B.BALAJI, J.,
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