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Arb.O.P (Com.Div.) No.167 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2025

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THE HON'BLE Mr. JUSTICE ABDUL QUDDHOSE

Arb.O.P (Com.Div.) No.167 of 2025

M/s.Terraspace Enterprise Private Limited

... Petitioner

Versus

1.E.V.Vijayakumari

2.E.V.Ganesan

3.M.Kanagalakshmi

... Respondents

Prayer: Arbitration Original Petition (Commercial Division) filed under Section 11(5) and (6) of the Arbitration and Conciliation Act, 1996 to appoint an Arbitrator on behalf of respondents 1 to 3, in terms of Clause 14 of Deed of Assignment dated 04.04.2010, Clause 10 of the Memorandum of Understanding dated 04.04.2010 read with Clause 12 of Memorandum of Understanding dated 28.05.2015 read with Clause 4 of Amended Memorandum of Understanding dated 03.07.2019 to enable constitution of an Arbitration Tribunal comprising of a Sole Arbitrator to resolve the disputes between parties, in accordance with the Arbitration and Conciliation Act, 1996 and direct the respondents to pay the petitioner.



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For Petitioner : Mr.R.Vidhya Shankar

For Respondents : Mr.T.Arunkumar for
M/s.Tamizh Law Firm

ORDER

A joint endorsement has been made by both the counsels, on instructions from the respective clients that the parties are agreeable to go for arbitration through Mr.P.R.Ramakrishnan, Advocate being appointed as a Sole Arbitrator by this Court.

2.In terms of the endorsement made by both the counsels, on instructions, this Court appoints Mr.P.R.Ramakrishnan, Advocate as a Sole Arbitrator to adjudicate the dispute between the parties arising out of the following agreements:

- a)Deed of Assignment dated 04.04.2010;
- b)Memorandum of Understanding dated 04.04.2010;
- c)Memorandum of Understanding dated 28.05.2015;
- d)Amended Memorandum of Understanding dated 03.07.2019.



3.In terms of the joint endorsement, this Arbitration Original Petition

is disposed of by issuing the following directions:

(a)Both the counsels have made a joint endorsement in the court bundle stating that the parties are agreeable for the appointment of Mr.P.R.Ramakrishnan, Advocate, having residence at No.2, Ramakoil Street, Ram Nagar, Coimbatore - 09 (Mobile No.98422 23592) as the Sole Arbitrator to adjudicate the dispute between the petitioner and the respondents arising out of the a)Deed of Assignment dated 04.04.2010; b)Memorandum of Understanding dated 04.04.2010; c)Memorandum of Understanding dated 28.05.2015; d)Amended Memorandum of Understanding dated 03.07.2019, on merits and in accordance with law;

(b)The Arbitrator shall be paid his remuneration/fees in accordance with the 4th Schedule of the Arbitration and Conciliation Act, 1996;

(c)Both the parties shall equally share the Arbitrator's fees;



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ABDUL QUDDHOSE, J.
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(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.

No costs.

02.07.2025

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