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O.A. No.393 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2025

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

O.A. No.393 of 2025

J. Sekar

... Applicant

Versus

1. M/s.A.V.R. Properties

& Developers Private Ltd.,

Having office at

No.1-C, Sorrento Enclave,

7/4, S.P. Road,

Adyar,

Chennai – 600 020.

2. U. Subramanian

3. State Industries Promotion

Corporation of Tamil Nadu,

19-A, Rukmani,

Lakshmipathy Road,

Egmore,

Chennai – 600 008.

...

Respondents



WEB COPY



O.A. No.393 of 2025

For Applicant : Mr.Nithyaesh Nataraj

For Respondents : Mr.Yashod Vardhan
Senior Counsel
for Mr.N. Sakthivel for R1 & R2
Mr.K. Palaniappan for R3

ORDER

Heard Mr.Nithyaesh Nataraj, learned counsel for the applicant;
Mr.Yashod Vardhan, learned Senior Counsel assisted by Mr.N.Sakthivel,
learned counsel for the respondents 1 and 2 and Mr.K. Palaniappan,
learned counsel for the 3rd respondent.

2. The applicant and the respondents 1 and 2 are the parties to the Agreement of Sale, dated 02.08.2014, which is the subject matter of the dispute raised in this application. The applicant and the respondents are agreeable to go for arbitration through an Arbitrator appointed by this Court.

3. The learned counsel for the applicant as well as the learned counsel on record for the respondents 1 and 2, on instructions have made a joint endorsement in the Court bundle stating that the parties to



O.A. No.393 of 2025

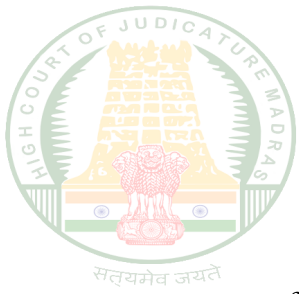
the Agreement for Sale, dated 02.08.2014 are giving consent for the appointment of an Arbitrator by this Court to adjudicate the disputes arising out of the Agreement of Sale, dated 02.08.2014.

4. Both the counsels also would submit that the interim order granted in O.A. No.393 of 2025 may be extended for another period of six weeks by granting liberty to both the parties to file an application under Section 17 of the Arbitration and Conciliation Act to protect their respective interests in the arbitration.

5. In view of the joint endorsement made by the learned counsels, on instructions, this Court is issuing the following directions :-

a) This Court appoints Hon'ble Mr.Justice Sanjib Banerjee, former Chief Justice of Madras High Court & Meghalaya High Court, residing at Greater Kailash I, C96, New Delhi – 110 048 (Mobile No.9836268256) as the sole Arbitrator to adjudicate the dispute between the parties arising out of the Agreement of Sale, dated 02.08.2014.

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



O.A. No.393 of 2025

WEB COPY

(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.

(e) The interim order, dated 21.04.2025 granted by this Court in O.A. No.393 of 2025 shall stand extended for another period of six weeks only by granting liberty for the applicant to file an application under Section 17 of the Arbitration and Conciliation Act, 1996 seeking for the very same interim relief that has been sought for in O.A. No.393 of 2025. Liberty is also granted to the respondents to file an application under Section 17 of the Arbitration and Conciliation Act, 1996, in case pending arbitration they seek for interim protection.

6. With the aforesaid directions, this application stands disposed of.

16.07.2025

Index: Yes/ No

Speaking order / Non speaking order

Neutral citation : Yes / No

vsi2



WEB COPY



O.A. No.393 of 2025

ABDUL QUDDHOSE, J.

vsi2

O.A. No.393 of 2025

16.07.2025