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Arb.O.P.(Com. Div.) No.363 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2025

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THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

Arb.O.P.(Com. Div.) No.363 of 2025

Samunnati Agri Value Chain Solutions Private Limited,
(Formerly known as Samunnati Financial Intermediation and Services Pvt.
Ltd. and Samunnati Agro Solutions Pvt. Ltd.),
Represented by its Authorised Signatory,
Dr. Vasudevan S
Having its registered office at
Baid Hi-Tech Park, 8th Floor,
129-B, East Coast Road, Thiruvananthapuram,
Chennai, Tamil Nadu, India.

... Petitioner

Vs.

M/s.Natural Cotton Spinners Pvt. Ltd.,
Having office at
11/70-A5, Powerhouse Road,
Somanur,
Coimbatore – 641 668.

... Respondent

PRAYER: Petition filed under Section 11(5) of the Arbitration and Conciliation Act, 1996, pleaded to appoint an independent, neutral Sole Arbitrator to adjudicate the disputes between the parties arising out of the



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Contract dated 28.04.2021.

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For Petitioner : Mr.Avinash Krishnan Ravi
For Respondent : Set exparte

ORDER

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

2. Notice sent to the respondent has been duly served. The delivery report has been filed along with Affidavit of Service (AOS). The name of the respondent is also printed in the cause list today. The respondent remains unrepresented. Hence, the respondent is set exparte by this Court.

3. There seems to be a dispute between the petitioner and the respondent, arising out of the Sales Agreement dated 28.04.2021. In the said agreement, there exists an arbitration clause, which is reproduced hereunder:

"8. This agreement is governed by the laws of India, and the courts of Chennai, India have supervisory



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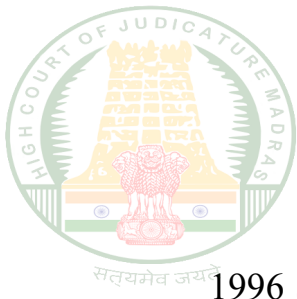


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jurisdiction in respect of any dispute. Any dispute between the parties shall be referred to a sole arbitrator appointed jointly by the parties under the Arbitration and Conciliation Act, 1996. The seat and venue of the arbitration shall be Chennai, India. The language of arbitration shall be English."

4. The petitioner has invoked arbitration in accordance with the arbitration clause by issuing notice to the respondent on 22.02.2024 to comply with the requirements of Section 21 of the Arbitration and Conciliation Act, 1996. No reply has been received for the same. Since the respondent has not agreed for arbitration, the petitioner has filed this petition under Section 11 of the Arbitration and Conciliation Act, 1996, seeking for appointment of an arbitrator by this Court.

5. Since there exists an arbitration clause in the contract, which is the subject matter of the dispute between the parties and since the petitioner has invoked arbitration in accordance with the arbitration clause by complying with the requirements of Section 21 of the Arbitration and Conciliation Act,



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1996 and since there is no consensus between the parties with regard to the name of the arbitrator and since the respondent has been set exparte by this Court, this Court has to necessarily appoint an Arbitrator as prayed for in this petition.

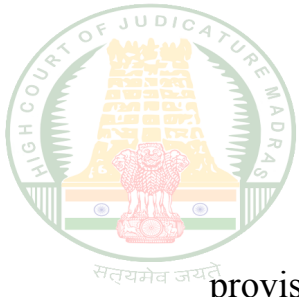
6. Accordingly, this Arbitration Original Petition is allowed as prayed for by issuing the following directions:

(a) Honourable Mr.Justice V.Bharathidasan (Retd.), a former Judge of this Court, having office at No.22, (L-45), 2nd main road, Kamaraj Nagar, Thiruvanmiyur, Chennai (Mobile No.94443 83139) is appointed as the sole Arbitrator to decide the dispute between the petitioner and the respondents arising out of the Sales Agreement dated 28.04.2021;

(b) The Arbitrator shall be paid his remuneration / fees in accordance with the 4th schedule of the Arbitration and Conciliation Act, 1996 or as per the mutual consent of both the parties;

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

(d) The Arbitrator shall conduct the arbitration in accordance with the



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provisions of the Arbitration and Conciliation Act, 1996 and shall complete the arbitration within the specified time as prescribed under the said Act.

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Index : Yes/No
Speaking Order : Yes / No
Neutral Citation Case: Yes / No
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ABDUL QUDDHOSE. J.

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