



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2025

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

Arb.O.P. (Com.Div.) No.347 of 2025

TICEL Bio Park Limited

.. Petitioner

VS

Creative Carbon Labs (OPC) Private Ltd.

.. Respondent

Prayer: Arbitration Original Petition (Commercial Division) filed under Section 11(6)(a) of the Arbitration and Conciliation Act, 1996 to appoint an Arbitrator to adjudicate the disputes between the petitioner and the respondent in terms of the Lease Deed dated 11.06.2021 and to direct the respondent to pay costs.

For Petitioner : Mr.M.Narendran

For Respondent : Set exparte

ORDER

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

2. There seems to be a dispute between the petitioner and the respondent arising out of the Lease Deed dated 11.06.2021. There exists an arbitration clause in the Lease Deed dated 11.06.2021. The same is extracted hereunder:

'a. Any dispute or difference between the Parties with regard to this Lease Deed and all connected and related matters whatsoever shall be



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discussed and settled amicably. In the event of any failure to resolve the disputes or differences amicably, all such disputes or differences whatsoever, shall be referred to arbitration. The arbitration proceedings shall first be conducted in English and in accordance with the provisions of Indian Arbitration and Conciliation Act 1996 or any statutory modification or enactment thereof. The venue of arbitration shall be Chennai.

b. The Parties have agreed that the sole arbitrator will be appointed mutually by both the Parties. The arbitration proceedings will be on a fast track. Any of the Parties going for arbitration will submit its claim petition and documents to the arbitrator within one (1) week of the reference being made to the arbitrator, with a copy to the other Party. The other Party will submit its counter arguments and its documents to the arbitrator after serving a copy to the party opting for arbitration, within one (1) week thereafter. The parties can file their further replies or documents within one week thereafter. Immediately after the 3rd week, the sole arbitrator will endeavor to commence the hearing on the 22nd day and will endeavor to go on with the hearing of the case from day to day without any adjournment, as far as possible. The sole arbitrator will also endeavor to give his award as early as possible.

c. The arbitration proceedings will be completed as far as possible within 40 days from the date of reference. The decision of the arbitrator will be final and binding on the parties.'

3. The petitioner has invoked arbitration in accordance with the arbitration clause by issuing notice to the respondent on 06.12.2024 to comply with the requirements of Section 21 of the Arbitration and Conciliation Act, 1996. No reply has been received from the respondent to the same.



4.The name of the respondent is printed in the cause list today.

respondent has been served through substituted service effected by the petitioner pursuant to the directions issued by this Court. The respondent remains unrepresented. Hence, the respondent is set ex-parte 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 there is no consensus between the parties with regard to the name of the Arbitrator and since the petitioner has complied with the requirements of Section 21 of the Arbitration and Conciliation Act, 1996, this Court has to necessarily appoint an Arbitrator as prayed for in this petition.

6.For the foregoing reasons, this Arbitration Original Petition is allowed by issuing the following directions:

(a)This Court appoints Mr.P.J.Sri Ganesh, Advocate, having address at No.10A, 14th Avenue, Harrington Road, Chetpet, Chennai - 600 031, Mobile No.98848 62677 as the Sole Arbitrator to adjudicate the dispute between the petitioner and the respondent, arising out of the Lease Deed dated 11.06.2021, 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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(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.

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