



Arb.O.P.(Com.Div.) No.564 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

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THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Arb.O.P.(Com.Div.) No.564 of 2025

Tata Capital Limited

By its Associate Legal Remedial R.Kamalakkannan

Having its office at 1st Floor, Centennial Square

6A, Dr.Ambedkar Salai, Kodambakkam

Chennai 600 024

.. Petitioner

Vs

Subramani B

.. Respondent

Petition filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, praying to appoint a sole Arbitrator to adjudicate upon the differences and disputes between the parties under the said agreement dated 03.08.2023 in respect of contract bearing No.TCFUC0479000012214954.

For Petitioner : Mr.N.K.Vanan

ORDER

This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (for brevity 'the Act') for appointment of a sole Arbitrator to adjudicate upon the differences/disputes between the petitioner and the respondent under the said agreement dated 03.08.2023 in respect of contract bearing No.TCFUC0479000012214954.



2. When the matter came up for hearing on 16.09.2025, this Court

passed the following order:

“This petition has been filed for appointment of a sole Arbitrator for adjudicating the differences/disputes between the petitioner and the respondent under agreement dated 03.08.2023.

2. The respondent took a vehicle loan from the petitioner to the tune of Rs.13 lakhs. This loan is supposed to be repaid back in 60 monthly instalments starting from 05.09.2023 and ending on 31.08.2028.

3. The respondent committed default in repayment of the loan amount. Hence, the loan recall notice was issued on 09.05.2024. The trigger notice under Section 21 of the Arbitration and Conciliation Act, 1996 was issued on 25.06.2025.

4. The agreement provides for appointment of an Arbitrator in Clause No.13.

5. Notice to the respondent returnable by 13.10.2025. Private notice is also permitted.

Post on 13.10.2025.”

3. Pursuant to the above order, notice was served on the respondent and an affidavit of service was filed. The name of the respondent has been printed in the cause list. The respondent also present at the time of hearing in person through video conferencing mode.

4. The respondent submitted that he has initiated insolvency proceedings and that the same is pending.

5. This Court carefully considered the submissions made on either



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side and the materials available on record.

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6. It is seen that there is a valid agreement between the parties in line with Section 7 of the Act and it contains an arbitration clause. In view of the same, this Court is inclined to appoint an arbitrator and accordingly, Ms.R.Meenal, Advocate, residing at No.11, 2nd Street, Jagadambal Colony, Royapettah, Chennai - 600 014 (Mobile No.98403 53442), is appointed as the sole Arbitrator and the sole Arbitrator is requested to adjudicate the arbitral disputes that had arisen between the parties and render an arbitral award by holding sittings in the Madras High Court Arbitration Centre under the aegis of this Court as per Madras High Court Arbitration Proceedings Rules, 2017 and fee of the sole Arbitrator shall be in accordance with the Madras High Court Arbitration Centre (MHCAC) (Administrative Cost and Arbitrator's Fees) Rules, 2017.

Accordingly, this petition is disposed of.

27.10.2025

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N.ANAND VENKATESH, J.

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