



Arb.O.P.(Com.Divn.) No.539 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

Arb.O.P.(Com.Divn.) No.539 of 2025

M.Jayaram
Proprietor
M/s.Shri Vivaahaa Buffet
No.61-62, Pioneer Mill Road
Coimbatore South
Coimbatore – 641 004.

.... Petitioner

Vs

M/s.Cheran Foundation Trust
Rep by its Trustee
Sri Kangayam Chen Palanisamy
Cheran Towers No.78
Government Arts College Road
Coimbatore – 641 018.

..... Respondent

Prayer : Application filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, praying to (a) appoint an Arbitrator to adjudicate the disputes between the petitioner and the respondent in terms of clause 16.1 of catering service contract dated 01.04.2023; (b) direct the respondent to pay costs; and pass orders as this Court may deem fit under the circumstances of the case.



WEB COPY



Arb.O.P.(Com.Divn.) No.539 of 2025

For Petitioner : Mr.K.P.Pugazendhi

For Respondent : Mr.T.Thilageswaran
for M/s.Waron & Sai Rams

ORDER

This petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 [for brevity hereinafter referred to as the “Act”] for appointment of an Arbitrator to adjudicate the disputes between the petitioner and the respondent.

2. When the matter came up for hearing on 04.09.2025, this Court passed the following order:

“This petition has been filed seeking to appoint an Arbitrator to adjudicate the disputes between the petitioner and the respondent in terms of clause 16.1 of catering services contract dated 01.04.2023.

2. The petitioner and the respondent entered into a catering services contract. A dispute arose between the parties and the respondent moved a petition in Arb.O.P.No.8 of 2025 before the District Judge/ Commercial Court, Coimbatore, under Section 9 of the Arbitration and Conciliation Act, 1996 (for brevity 'the Act') seeking for the



relief of interim injunction not to interfere with the peaceful operation of the canteen by the respondent. This petition was allowed by order dated 02.07.2025.

3. As per the agreement, Clause 16 contemplates appointment of Arbitrator if the parties are not able to resolve the dispute through mutual discussion and deliberation. Accordingly, the trigger notice under Section 21 of the Act dated 26.04.2025 was issued by the petitioner. Since there was no response, the present petition has been filed.

4. Notice to the respondent returnable by 06.10.2025. Private notice is also permitted.

Post this petition on 06.10.2025. ”

3. Pursuant to the above order, notice was served on the respondent and the matter was listed for final hearing today.

4. Heard Mr.K.P.Pugazendhi, learned counsel appearing for the petitioner and Mr.T.Thilageswaran, learned counsel appearing for the respondent.

5. It is seen that there is a valid agreement between the parties in terms of Section 7 of the Act, which contains an arbitration clause. Apart from that, the



Arb.O.P.(Com.Divn.) No.539 of 2025

respondent is also having counter claim against the petitioner. Hence, this

Court is inclined to appoint a sole arbitrator.

6. In view of the above, Hon'ble Thiru.Justice RMT.TEEKAA RAMAN, Residence at No.38(NB), Greenways Road, Chennai – 600 028, Ph.Nos.94431-65005; 94449-42005 is appointed as sole Arbitrator and the Arbitrator is requested to adjudicate the arbitral dispute that were arising between the parties by holding sittings in any venue in Chennai to the convenience of all concerned and render an award. Fees of the sole Arbitrator shall be in accordance with the Madras High Court Arbitration Centre (MHCAC)(Administrative Cost and Arbitrator's Fees) Rules 2017.

7. This Arb. OP is disposed of in the above terms. There shall be no order as to costs.

27-10-2025

ds



WEB COPY



Arb.O.P.(Com.Divn.) No.539 of 2025

N. ANAND VENKATESH., J

ds

Arb.O.P.(Com.Divn.) No.539 of 2025

27.10.2025