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Arb O.P(COM.DIV.) No. 6
of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-11-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

Arb O.P(COM.DIV.) No. 610 of 2025

M/s. Priyanka Exports
Rep by its Managing Partner
P.K.Ravichandran
S/o.Late P.M.Kuppusamy
No.9/45-A, Nedumaran Nagar
Dharmapuri-636701

Petitioner(s)

Vs

M/s.Jeevan Granites & Stones
Rep by its Proprietrix Mrs.Adaikala Mary
W/o.Durai Dhiviyanathan
No.246,Housing Unit, Periyar Nagar
Rajagopalapuram, Pudukkottai-622003

Respondent(s)

PRAYER

To appoint a Sole Arbitrator to adjudicate the disputes between the Petitioner and the Respondent, arising out of the Agreement to Sell dated 21.09.2019

For Petitioner(s): Mr.Akhil Akbar Ali



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For Respondent(s): Mr.Ashwin Prem Sundar

ORDER

This original petition has been filed under Section 11(6) of the Arbitration and Conciliation Act, 1996 to appoint an Arbitrator to adjudicate and decide the disputes between the petitioner and the respondent arising out of the agreement of sale dated 21.09.2019.

2. When this petition came up for hearing on 13.10.2025, this Court passed the following order:-

“The agreement is dated 21.09.2019 and it contains an arbitration clause at Clause No.16, which is extracted hereunder:

“16. If any dispute or difference of opinion arises between the parties arising out of this contract the same shall be referred to an arbitrator to be appointed by mutual consent of both the parties and the said arbitrator's decision shall be final and binding on both the parties. The provisions of Indian Arbitration Act 1996 will apply in this regard.”

2. The trigger notice dated 18.04.2025 has been issued by the petitioner under Section 21 of the Arbitration and Conciliation Act, 1996. Since there was no response, the present petition has been filed before this Court.

3. Notice to respondent returnable by 10.11.2025. Private notice is also permitted. Post this petition on 10.11.2025.”



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3. After service of notice, the respondent is represented through counsel.

4. Heard both sides.

5. Taking into consideration the facts and circumstances of the case and considering the fact that there is a valid agreement between the parties in line with Section 7 of the Arbitration and Conciliation Act, 1996, which contains an arbitration clause, this Court is inclined to appoint a sole Arbitrator. All the other issues that have been raised on the side of the respondent will have to be necessarily raised only before the learned Arbitrator, which will be considered on their own merit and in accordance with law. Hence, Mr.S.R.Raghunathan, Advocate, having address for service at “Westminster”, Mezzanine Floor, No.108, Dr.Radhakrishnan Salai, Mylapore, Chennai 600 004 Mobile No.98410 94444, email: raghu@randr.in is appointed as the sole Arbitrator and the learned Arbitrator is requested to enter upon reference qua the agreement of sale dated 21.09.2019, adjudicate the arbitral disputes that have arisen between the parties by holding the 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.

6. This original petition is disposed of in the above terms. There shall be



no order as to costs.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes/No

Neutral Citation: Yes/No

SS

To

1. Mr. S.R.Raghunathan

“Westminster”

Mezzanine Floor

No.108, Dr.Radhakrishnan Salai

Mylapore

Chennai 600 004

Mobile No.98410 94444

email: raghu@randr.in

2. The Director

Tamil Nadu Mediation and Conciliation

Centre-cum-Ex-Officio Member

Madras High Court Arbitration Centre

Chennai 600 104



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N.ANAND
VENKATESH J.

SS

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