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Arbitration Original Petition (Com.Div.) No.578 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.12.2025

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Arbitration Original Petition (Com.Div.) No.578 of 2025

Karthikeyan C.

S/o.Sri Chidambaram S.

.... Petitioner

Vs.

1.Rukhaia Parveen Mohammed Bilal S.

W/o.Sri Suresh P.

2.Priya A.

W/o.Sri Santhosh

.... Respondents

Arbitration Original Petition (Com.Div.) filed under Section 11(6) of the Arbitration and Conciliation Act, 1996, praying to appoint the nominee Arbitrator as per Clause 16 of the Deed of Partnership dated 23.03.2023 and Clause 11 of the Supplementary Deed of Partnership dated 07.06.2023 executed between the petitioner and respondents to adjudicate the dispute between the parties.

For Petitioner : Mr.G.Vivekanand



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For Respondents : Mr.Sharukumar

ORDER

This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 [for brevity 'the Act'] for appointment of an Arbitrator to decide the dispute and differences between the petitioner and the respondents in terms of the Supplementary Partnership Deeds dated 01.03.2023 and 07.06.2023.

2. When the matter came up for hearing on 18.09.2025, this Court passed the following order:

“The parties are governed by two supplementary partnership deeds dated 01.03.2023 and 07.06.2023, which provides for referring the disputes to the Arbitrator in Clause 16 and Clause 11 respectively. The trigger notice dated 10.08.2025 under Section 21 of the Arbitration and Conciliation Act, 1996 was issued to the respondents.



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2. Notice to the respondents returnable by 22.10.2025.
Private notice is also permitted.

Post on 22.10.2025.”

3. After service of notice on respondents, the first respondent has filed counter affidavit raising various issues touching upon the arbitrability of the dispute.

4. In the considered view of this Court, all the issues can be kept open to be decided by the Sole Arbitrator to be appointed by this Court. There is an agreement between the parties in line with Section 7 of the Act and it also provides for resolving the dispute through arbitration.

5. In view of the above, this Court is inclined to proceed further and appoint Sole Arbitrator and refer the dispute between the petitioner and the respondent to the Sole Arbitrator, which will be dealt with on its



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own merits and in accordance with law. It is left open to the parties to

raise all the disputes before the sole Arbitrator.

6. In the light of the above discussion, this Court appoints Mr.P.V.S.Giridhar, Senior Advocate, No.319, Linghi Chetty Street, III Floor, George Town, Chennai – 600 001, as the sole Arbitrator and the sole Arbitrator is requested to adjudicate the arbitral disputes that had arisen between the parties and render arbitral award by holding sittings in the 'Madras High Court Arbitration Centre under the aegis of this Court' (MHCAC) as per Madras High Court Arbitration Proceedings Rules 2017 and fee of Sole Arbitrator shall be in accordance with the Madras High Court Arbitration Centre (MHCAC) (Administrative Cost and Arbitrator's Fees) Rules 2017.

N.ANAND VENKATESH, J.

gm



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Accordingly, this petition is disposed of.

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08.12.2025

NCC:yes/no
gm

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